No. 19-15128

In the United States Court of Appeal for the Ainth Circuit

STEVE WILSON BRIGGS

Appellant/Petitioner,

ν.

ARI EMANUEL, MATT DAMON, BEN AFFLECK, MRC, NEILL BLOMKAMP, NBCUNIVERSAL, ASIF SATCHU, BILL BLOCK, SONY PICTURES ENT, MORDECAI WICZYK, DANA BRUNETTI

Appellees/Respondents.

On Appeal from the U.S. District Court for Northern District of California
CASE NO. 3:18-CV-4952-VC
THE HONORABLE VINCE CHHABRIA

APPELLEES' JOINT SUPPLEMENTAL EXCERPTS OF RECORD VOLUME 5 of 7 [PAGES 786 - 1019]

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1 2 3 4 5 6 7 8 9	Steve Wilson Briggs 4322 Chico Ave., Santa Rosa, CA 95407 510 200 3763 snc.steve@gmail.com PLAINTIFF In Propria Persona UNITED STATES I NORTHERN DISTRI SAN FRANCIS	
11	STEVE WILSON BRIGGS	Civ No: 18-cy-04952-VC
11 12 13 14 15 16 17 18 19 20 21 21 22	Plaintiff, vs KEVIN SPACEY; ARI EMANUEL; MATT DAMON; BEN AFFLECK; NBCUNIVERSAL MEDIA, LLC; SONY PICTURES ENT INC.; TRIGGER STREET PRODUCTIONS; NEILL BLOMKAMP; ASIF SATCHU; MORDECAI WICZYK; WILLIAM (BILL) BLOCK; DANA BRUNETTI; MRC (and all MRC entities and subs.), Defendants.	REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF: 1. PLAINTIFF'S MOTION FOR ALTERNATIVE SER VICE FOR DEF BILL BLOCK; 2. PLAINTIFF'S MOTION FOR AWARD OF SER VICE OF PROCESS EXPENSES & REMUNER ATION; 3. PLAINTIFF'S COMPLAINT'S ALLEGATIONS OF NEGLIGENCE AND FRAUD Date: Thurs, December 13, 2018 Time: 10:00 a.m. Courtroom: 4 Judge: Hon. Vince Chhabria
23		
24	REQUEST FOR JU	JDICIAL NOTICE
25	Pursuant to Federal Rules of Evidence Ru	ule 201, Plaintiff Steve WIlson Briggs respectfully
26	asks the Court to take judicial notice of the attach	ned exhibits.
27		er under Federal Rule of Evidence 201(b), which
28	allows the court to judicially notice "a fact that	is not subject to reasonable dispute because it is

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1 generally known within the trial court's territorial jurisdiction"; or "can be accurately and readily 2 determined from sources whose accuracy cannot reasonably be questioned." 3 Rule 201(c) allows the Court to take judicial notice on its own, or the Court "must take 4 judicial notice if a party requests it and the court is supplied with the necessary information." 5 And Rule 201(d), which holds that a court must take judicial notice of facts if requested by a party and supplied with the necessary information. 6 7 Rule 201(d) gives the Court authority to take judicial notice at any stage of the proceedings. 8 9 The exhibits submitted for judicial notice are attached. They are three (3) court documents 10 and various other government records and public records (e.g., California Secretary of State 11 business entity statements of information). 12 Court Records 13 Exhibit A: "Defendants' Answer And Affirmative Defenses To Plaintiff's First Amended 14 Complaint For Copyright Infringement," case document from Briggs v Blomkamp et al, 15 13-cv-04679 -PJH. Please, notice page 3, para #13, the Defendant MRC II Distribution 16 Company, LP misleads the Court that it principal place of business is 9665 Wilshire Blvd, Beverly 17 Hills, CA 90212. Prepared by Michael J. Kump, Esquire. 18 Exhibit B: "Defendants' Certification Of Interested Entities Or Persons," case document 19 from Briggs v Blomkamp et al, 13-cv-04679 -PJH. Please notice on page 1, paragraph 1, 20 Defendant MRC II Distribution Company, LP claims to be a Defendant, and Media Rights Capital II, LP claims to be the "Parent of Defendant" corporation. Prepared by Michael J. Kump, Esquire. 21 21 Exhibit C: "Corporate Disclosure Statement Of Sony Pictures Entertainment, Inc., Tristar 22 Pictures, Inc., MRC II Distribution Company, L.P., And QED International, LLC," case 23 document from Briggs v Blomkamp et al, 13-cv-04679 -PJH. Please notice page 1, paragraph 24 1, as MRC II Distribution misleads the Court that it has no parent. Prepared by Michael J. Kump, 25 Esquire. 26 Government & Public Records, Etc. 27 Exhibit D: "Filing Periods" and "Tips for Filing" from the California Secretary of State website. Please note 28

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1	a. the "Filing Periods" guideline specifies how often businesses are required to re-submit and
2	update their CA Secretary of State statement of information. Please, notice all
3	corporations are required to submit a new business entity statement of information
4	every 1 or 2 years, depending on their business type.
5	b. Under "Tips for Filing Corporation Statements of Information," bullet #3 states: "If the
6	agent for service of process of the entity has changed or resigned, a fully completed
7	statement must be submitted." And bullet #6 states that each corporate officer must have
8	a complete business or residential address."
9	Exhibit E: California Corporations Code 1502 (for corporation designating agents for
0	service of process). Please note that this statute requires that if a corporation designates a natural
1	person as its agent for service of process, this person must reside in California.
2	Exhibit F: California Corporations Code 1507. Please note this law holds corporate
13	officers personally liable if they make or publish false business statements, documents, reports, etc.
4	Exhibit G: CA Secretary of State "Entity Detail" for MRC II Distribution Company, LP
15	(from the CA Secretary of State website). Please note the company has not updated its statement
6	of information since 2007. (As a "foreign" entity updates are due every year.)
17	Exhibit H: Current and active CA Secretary of State business entity statement of
8	information for MRC II Distribution Company, LP. Please note the company claims its Principal
9	Address is 9601 Wilshire Blvd, Suite 610, Beverly Hills, CA 90210.
20	Exhibit I: CA Secretary of State Amendment to Application for Registration, which
21	changes only the agent for service of process (to Scott Tenley), but leaves the address unchanged.
21	Exhibit J: CA Secretary of State "Entity Detail" for William Morris Endeavor (from the
22	CA Secretary of State website). Please note the company statements of information have been
23	properly filed for successive years (as a"foreign" entity updates are due every year).
24	Exhibit K: Current and active CA Secretary of State business entity statement of
25	information for William Morris Endeavor, LLC. Please note the company claims its Principal
26	Address is 9601 Wilshire Blvd, 3rd Floor, Beverly Hills, CA 90210.
27	Exhibit L: CA Secretary of State "Entity Detail" for Sony Pictures Entertainment, Inc.
28	(from the CA Secretary of State website). Please note the company statements of information

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have been properly filed for successive years ("foreign" entity updates are due every year). 2 Exhibit M: Current and active CA Secretary of State business "Entity Detail" for Media 3 Rights Capital II, LP (from the CA Secretary of State website). Please note that the CA Sec State 4 statement of information reports have NOT been filed in 10 years (they are due every year for a 5 foreign corporation). Exhibit N: Current and active CA Secretary of State business entity statement of 6 7 information for Media Rights Capital II, L.P. Please note the address claimed is 1800 Century Park East, 10th Floor, Los Angeles, CA 90067, and Scott Tenley is the agent for service of 8 9 process. 10 Exhibit O: Current and active CA Secretary of State business "Entity Detail" for Trigger 11 Street Productions, Inc (from the CA Secretary of State website). Please note that the CA Sec State statement of information reports have NOT been filed in 15 years (they are due every year 12 for a foreign corporation). The "No Change" report means no information has changed since the 13 14 last report. 15 Exhibit P: Current and active CA Secretary of State business entity statement of information for Trigger Street Productions, Inc. Please note: 16 17 a. Franks Selvaggi signs this document himself, and falsely claims to be a California resident. 18 b. The current Principal California Address claimed is 11766 Wilshire Blvd, #1610, Los 19 Angeles 90025. 20 Exhibit Q: The National Directory of Registered Tax Return Preparers & Professionals 21 website identifies Frank Selvaggi as a CPA working in New York City. 21 Exhibit R: FreedomToMarry.Org's website has a page dedicated to Frank Selvaggi, 22 which states he lives in New York state. 23 Exhibit S: Current and active CA Secretary of State business "Entity Detail" for GDS, 24 LLC (from the CA Secretary of State website). Please note that the CA Sec State statement of 25 information reports have NOT been filed in 12 years (they are due every 2 years for an LLC). 26 Exhibit T: Current and active CA Secretary of State business entity statement of 27 information for GDS, LLC. Please note that on line 7 and 8 company managers Ben Affleck and Matt Damon claim their address is 2401 Main Street, Santa Monica, CA 90405. 28

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1	Exhibit U: Current and active CA Secretary of State business "Entity Detail" for GDS,		
2	LLC (from the CA Secretary of State website). Please note that the CA Sec State statement of		
3	information reports have NOT been filed in 13 years (they are due every 2 years for an LLC).		
4	Exhibit V: Current and active CA Secretary of State business entity statement of		
5	information for Mad Post Productions, LLC. Please note that on line 7 and 8 company managers		
6	Ben Affleck and Matt Damon claim their address is 2401 Main Street, Santa Monica, CA 90405.		
7	Exhibit W: Current and active CA Secretary of State business entity statement of		
8	information for Miramax, LLC. Please note address is 2450 Colorado, Suite 100 East Tower, Los		
9	Angeles, CA 90404.		
10			
11	In addition to the federal authorities, cited in the opening paragraphs of this document, the		
12	California Code of Evidence § 452(g) allows judicial notice of facts and propositions that are of		
13	such common knowledge within the territorial jurisdiction of the court that they cannot reasonably		
14	be the subject of dispute; and California Code of Evidence § 452(h) allows judicial notice of facts		
15	and propositions that are not reasonably subject to dispute and are capable of immediate and		
16	accurate determination by resort to sources of reasonably indisputable accuracy. All of the exhibits		
17	herein adhere to these standards for judicial notice.		
18			
19	Dated: November 5, 2018. Signed: /s/ Steve Wilson Briggs		
20	STEVE WILSON BRIGGS Plaintiff, In Propria Persona		
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EXHIBIT



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Defendants Neill Blomkamp, Sony Pictures Entertainment Inc., TriStar Pictures, Inc., MRC II Distribution Company L.P. (erroneously sued as Media Rights Capital), and QED International, LLC (collectively, "Defendants") answer the Amended Complaint for Copyright Infringement ("Complaint") as follows:

NATURE OF ACTION

- 1. Answering Paragraph 1 of the Complaint, Defendants admit that this is an action for copyright infringement of a screenplay purportedly written by Plaintiff entitled "Butterfly Drive," which screenplay is purportedly attached as Exhibit A to the Complaint (hereinafter, "Plaintiff's Screenplay"). Defendants admit that the film "Elysium" was initially theatrically released in the United States on or about August 9, 2013 (hereinafter, the "Film"). Defendants deny each and every remaining allegation in Paragraph 1.
- 2. Answering Paragraph 2 of the Complaint, Defendant MRC II Distribution

 Company L.P. (hereinafter, "MRC"), erroneously sued as "Media Rights Capital," denies that an entity named "Media Rights Capital" is properly named in the Complaint. MRC denies that it is attempting to mislead the Court in answering the Complaint and alleges that it is a company organized and existing under the laws of the State of California and that it, rather than the named "Media Rights Capital," is the entity referred to colloquially as "MRC" or "Media Rights Capital" which contracted in connection with the Film and which owns the relevant copyrights in the Film. The remaining Defendants (excluding MRC) lack sufficient information and belief upon which to admit or deny the allegations concerning the "MRC" entities in Paragraph 2, and on that basis those allegations are denied by those remaining Defendants. All Defendants deny each and every remaining allegation in Paragraph 2.
- 3. Answering Paragraph 3 of the Complaint, and for the reasons set forth in Paragraph 2 above, Defendant MRC denies that an entity named "Media Rights Capital" is properly named in the Complaint and alleges that it is the relevant "MRC" entity which contracted in connection with the Film and which owns the relevant copyrights in the Film. MRC denies all remaining allegations in Paragraph 3. The remaining Defendants (excluding MRC) lack sufficient information upon which to admit or deny the allegations in Paragraph 3, and on that basis the

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allegations are denied.

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- Answering Paragraph 4 of the Complaint, Defendants deny each and every allegation thereof.
- 5. Answering Paragraph 5 of the Complaint, Defendants admit that the Amended Complaints purports to have "added a personal information section." Except as so admitted, Defendants deny each and every allegation in Paragraph 5.

JURISDICTION

- 6. Answering Paragraph 6 of the Complaint, Defendants admit that the Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a). Defendants deny each and every remaining allegation in Paragraph 6.
- 7. Answering Paragraph 7 of the Complaint, Defendants admit that the Complaint alleges that venue is proper and alleges that the Court has personal jurisdiction. Defendants deny each and every remaining allegation in Paragraph 7.
- 8. Answering Paragraph 8 of the Complaint, Defendants admit that the Complaint alleges that the action is properly assigned to the San Francisco division of the Northern District of California. Defendants deny each and every remaining allegation in Paragraph 8.

THE PARTIES

- 9. Answering Paragraph 9 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- Answering Paragraph 10 of the Complaint, Defendants admit the allegations thereof.
- 11. Answering Paragraph 11 of the Complaint, Defendants admit that Sony Pictures Entertainment Inc. ("SPE") has its principal place of business at 10202 W. Washington Boulevard, Culver City, California. Defendants deny each and every remaining allegation in Paragraph 11.
- 12. Answering Paragraph 12 of the Complaint, Defendants admit that TriStar Pictures, Inc. ("TriStar") is an indirect subsidiary of SPE and has its principal place of business in Culver City, California. Defendants admit that TriStar is a distributor of the Film. Defendants deny each

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and every remaining allegation in Paragraph 12.

- 13. Answering Paragraph 13 of the Complaint, Defendants admit that MRC II

 Distribution Company (erroneously sued as Media Rights Capital) ("MRC") has its principal place
 of business at 9665 Wilshire Boulevard, Beverly Hills, CA 90212. Defendants admit that MRC
 was involved in the development and production of the Film. Defendants deny each and every
 remaining allegation in Paragraph 13.
- 14. Answering Paragraph 14 of the Complaint, Defendants admit that QED International ("QED") is located at 1800 N. Highland Ave., 5th Floor, Los Angeles, California 90028. Defendants admit that QED is credited as a producer of the Film. Defendants deny each and every remaining allegation in Paragraph 14.

BACKGROUND

- 15. Answering Paragraph 15 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 16. Answering Paragraph 16 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 17. Answering Paragraph 17 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 18. Answering Paragraph 18 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 19. Answering Paragraph 19 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 20. Answering Paragraph 20 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are

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denied.

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- 21. Answering Paragraph 21 of the Complaint, Defendants deny the allegation that "MRC was a struggling new film company with but 1 credit for 2007, 'Couples', filmed for only \$2500." Defendants lack sufficient information and belief upon which to admit or deny the remaining allegations in Paragraph 21, and on that basis the remaining allegations are denied.
- 22. Answering Paragraph 22 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 23. Answering Paragraph 23 of the Complaint, Defendants deny each and every allegation thereof.
- 24. Answering Paragraph 24 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 25. Answering Paragraph 25 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 26. Answering Paragraph 26 of the Complaint, Blomkamp denies that he was aware of the triggerstreet.com website at any time prior to the filing of this lawsuit. Blomkamp denies that he contacted Plaintiff regarding Plaintiff's Screenplay. All Defendants deny that they were familiar with and/or accessed Plaintiff's Screenplay in any way or at any time, including without limitation on triggerstreet.com. Defendants lack sufficient information and belief upon which to admit or deny the remaining allegations in Paragraph 26, and on that basis, those remaining allegations are denied.
- 27. Answering Paragraph 27 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 28. Answering Paragraph 28 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are

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denied.

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- 29. Answering Paragraph 29 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 30. Answering Paragraph 30 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 31. Answering Paragraph 31 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 32. Answering Paragraph 32 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 33. Answering Paragraph 33 of the Complaint, Defendants deny that the Film and the trailer for the Film feature a plot, characters, and/or settings that misappropriated Plaintiff's Screenplay. Defendants lack sufficient information and belief upon which to admit or deny the remaining allegations in Paragraph 33, and on that basis those remaining allegations are denied.
- 34. Answering Paragraph 34 of the Complaint, Defendants deny that the story structure of the Film conforms to Plaintiff's Screenplay in any way. Defendants lack sufficient information and belief upon which to admit or deny the remaining allegations in Paragraph 34, and on that basis those remaining allegations are denied.
- 35. Answering Paragraph 35 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 36. Answering Paragraph 36 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
 - 37. Answering Paragraph 37 of the Complaint, Defendants object on the basis that the

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allegation is irrelevant and violates the requirement in Rule 8(a) of the Federal Rules of Civil

Procedure for a "short and plain statement" of the claim, and on that basis the allegation is denied.

- 38. Answering Paragraph 38 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 39. Answering Paragraph 39 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.

STATEMENT OF FACTS COMMON TO ALL CLAIMS FOR RELIEF

- 40. Answering Paragraph 40 of the Complaint, Defendants admit that the Film was theatrically released in the United States and certain other territories on August 9, 2013. Defendants deny each and every remaining allegation in Paragraph 40 and specifically deny that the Film infringes Plaintiff's alleged copyright interests.
- 41. Answering Paragraph 41 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 42. Answering Paragraph 42 of the Complaint, Defendants deny that the Film infringes any copyright interests Plaintiff might have in the Screenplay in whole or part. Defendants lack sufficient information and belief upon which to admit or deny the remaining allegations in Paragraph 42, and on that basis those remaining allegations are denied.
- 43. Answering Paragraph 43 of the Complaint, Defendants deny each and every allegation thereof.
- 44. Answering Paragraph 44 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 44.
- 45. Answering Paragraph 45 of the Complaint, Defendants admit that the Film is the best evidence of its contents. Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in

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Paragraph 45.

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- 46. Answering Paragraph 46 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 46.
- 47. Answering Paragraph 47 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 47 and specifically deny that the "plot features" referenced in Paragraph 47 constitute either Plaintiff's original or copyrightable expression.
- 48. Answering Paragraph 48 of the Complaint, Defendants deny each and every allegation thereof.
- 49. Answering Paragraph 49 of the Complaint, Defendants deny each and every allegation thereof.
- 50. Answering Paragraph 50 of the Complaint, Defendants deny each and every allegation thereof.
- 51. Answering Paragraph 51 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Defendants admit that the Film is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 51.
- 52. Answering Paragraph 52 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 52.
- 53. Answering Paragraph 53 of the Complaint, Defendants admit that the Film is the best evidence of its contents. Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 53.
- 54. Answering Paragraph 54 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 54.

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- 55. Answering Paragraph 55 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 55.
- 56. Answering Paragraph 56 of the Complaint, Defendants admit that the Film is the best evidence of its contents. Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 56 and specifically deny that any characters from the Film or the screenplay on which the Film is based infringe Plaintiff's alleged copyright interests.
- 57. Answering Paragraph 57 of the Complaint, Defendants deny each and every allegation thereof.
- 58. Answering Paragraph 58 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 58.
- 59. Answering Paragraph 59 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 59.
- 60. Answering Paragraph 60 of the Complaint, Defendants admit that the Film is the best evidence of its contents. Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 60.
- 61. Answering Paragraph 61 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 61.
- 62. Answering Paragraph 62 of the Complaint, Defendants admit the purported document entitled "Uberopolis: City of Light" and Exhibit B to the Complaint are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 62.
 - 63. Answering Paragraph 63 of the Complaint, Defendants admit that Plaintiff's

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Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 63.

- 64. Answering Paragraph 64 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 64.
- 65. Answering Paragraph 65 of the Complaint, Defendants deny each and every allegation thereof.
- 66. Answering Paragraph 66 of the Complaint, Defendants deny each and every allegation thereof.
- 67. Answering Paragraph 67 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 67.
- 68. Answering Paragraph 68 of the Complaint, Defendants deny each and every allegation thereof.
- 69. Answering Paragraph 69 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 69.
- 70. Answering Paragraph 70 of the Complaint, Defendants deny each and every allegation thereof.
- 71. Answering Paragraph 71 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 71.
- 72. Answering Paragraph 72 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 72.
- 73. Answering Paragraph 73 of the Complaint, Defendants deny each and every allegation thereof.
 - 74. Answering Paragraph 74 of the Complaint, Defendants admit that Plaintiff's

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Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 74.

- 75. Answering Paragraph 75 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 75.
- 76. Answering Paragraph 76 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 76 and specifically deny that the "characteristics, actions, motivations and conditions listed in paragraph 75" constitute either Plaintiff's original or copyrightable expression.
- 77. Answering Paragraph 77 of the Complaint, Defendants deny each and every allegation thereof.
- 78. Answering Paragraph 78 of the Complaint, Defendants deny each and every allegation thereof.
- 79. Answering Paragraph 79 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 79.
- 80. Answering Paragraph 80 of the Complaint, Defendants deny each and every allegation thereof.
- 81. Answering Paragraph 81 of the Complaint, Defendants admit the Film is the best evidence of its contents. Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 81.
- 82. Answering Paragraph 82 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 82.
- 83. Answering Paragraph 83 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 83 and specifically deny that the characteristics listed in Paragraph

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82 (as incorporated by reference) constitute either Plaintiff's original or copyrightable expression.

- 84. Answering Paragraph 84 of the Complaint, Defendants deny each and every allegation thereof.
- 85. Answering Paragraph 85 of the Complaint, Defendants deny each and every allegation thereof.
- 86. Answering Paragraph 86 of the Complaint, Defendants deny each and every allegation thereof.
- 87. Answering Paragraph 87 of the Complaint, Defendants deny each and every allegation thereof.
- 88. Answering Paragraph 88 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Defendants admit that the Film is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 88.
- 89. Answering Paragraph 89 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Defendants admit that the purported website www.welcometoelysium.com is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 89.
- 90. Answering Paragraph 90 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 90 and specifically deny that the characteristics listed in Paragraph 89 (as incorporated by reference) constitute either Plaintiff's original or copyrightable expression.
- 91. Answering Paragraph 91 of the Complaint, Defendants deny each and every allegation thereof.
- 92. Answering Paragraph 92 of the Complaint, Defendants deny each and every allegation thereof.
- 93. Answering Paragraph 93 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 93.

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94.	Answering Paragraph 94 of the Complaint, Defendants admit that Plaintiff's
Screenplay	is the best evidence of its contents. Except as so admitted, Defendants deny each and
every allega	tion in Paragraph 94 and specifically deny that the characteristics listed in Paragraph
93 (as incor	porated by reference) constitute either Plaintiff's original or copyrightable expression

- 95. Answering Paragraph 95 of the Complaint, Defendants deny each and every allegation thereof.
- 96. Answering Paragraph 96 of the Complaint, Defendants deny each and every allegation thereof.
- 97. Answering Paragraph 97 of the Complaint, Defendants deny each and every allegation thereof.
- 98. Answering Paragraph 98 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 99. Answering Paragraph 99 of the Complaint, Defendants admit that the referenced episode of *Star Trek* is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 99.
- 100. Answering Paragraph 100 of the Complaint, Defendants admit that Plaintiff's Screenplay, the Film, and the referenced episode of *Star Trek* are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 100.
- 101. Answering Paragraph 101 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit Q to the Complaint are the best evidence of their contents. Defendants admit that the Film and any screenplay on which the Film is based are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 101.
- 102. Answering Paragraph 102 of the Complaint, Defendants deny each and every allegation thereof.
- 103. Answering Paragraph 103 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Defendants admit that the Film is the best evidence of its contents. Except as so admitted, Defendants deny

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each and every allegation in Paragraph 103.

- 104. Answering Paragraph 104 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 104 and specifically deny that the characteristics listed in Paragraph 103 (as incorporated by reference) constitute either Plaintiff's original or copyrightable expression.
- 105. Answering Paragraph 105 of the Complaint, Defendants deny each and every allegation thereof.
- 106. Answering Paragraph 106 of the Complaint, Defendants deny each and every allegation thereof.
- 107. Answering Paragraph 107 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Defendants admit that the Film is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 107.
- 108. Answering Paragraph 108 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 108 and specifically deny that the "themes" listed in Paragraph 107 (as incorporated by reference) constitute either Plaintiff's original or copyrightable expression.
- 109. Answering Paragraph 109 of the Complaint, Defendants deny each and every allegation thereof.
- 110. Answering Paragraph 110 of the Complaint, Defendants deny each and every allegation thereof.
- 111. Answering Paragraph 111 of the Complaint, Defendants deny each and every allegation thereof and further allege that Paragraph 111 contains no allegation of fact and is unintelligible.
- 112. Answering Paragraph 112 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 112.

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- 113. Answering Paragraph 113 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 113.
- 114. Answering Paragraph 114 of the Complaint, Defendants deny each and every allegation thereof and further allege that Paragraph 114 contains no allegation of fact and is unintelligible.
- 115. Answering Paragraph 115 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 115.
- 116. Answering Paragraph 116 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 116.
- 117. Answering Paragraph 117 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 117.
- 118. Answering Paragraph 118 of the Complaint, Defendants deny each and every allegation thereof and further allege that Paragraph 118 contains no allegation of fact and is unintelligible.
- 119. Answering Paragraph 119 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 119.
- 120. Answering Paragraph 120 of the Complaint, Defendants admit that the Film is the best evidence of its contents. Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 120.
- 121. Answering Paragraph 121 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 121.

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- 122. Answering Paragraph 122 of the Complaint, Defendants deny each and every allegation thereof.
- 123. Answering Paragraph 123 of the Complaint, Defendants deny each and every allegation thereof.
- 124. Answering Paragraph 124 of the Complaint, Defendants deny each and every allegation thereof and further allege that Paragraph 124 contains no allegation of fact and is unintelligible.
- 125. Answering Paragraph 125 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Defendants admit that the Film is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 125.
- 126. Answering Paragraph 126 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 126.
- 127. Answering Paragraph 127 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Defendants admit that the Film is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 127.
- 128. Answering Paragraph 128 of the Complaint, Defendants deny each and every allegation thereof.
- 129. Answering Paragraph 129 of the Complaint, Defendants deny each and every allegation thereof.
- 130. Answering Paragraph 130 of the Complaint, Defendants deny each and every allegation thereof.
- 131. Answering Paragraph 131 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 131.
 - 132. Answering Paragraph 132 of the Complaint, Defendants admit that Exhibit B to the

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Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 132.

- 133. Answering Paragraph 133 of the Complaint, Defendants lack sufficient information and belief on which to admit or deny the allegation that Plaintiff chose the word "repatriation" to "reference immigration in a warlike state," and on that basis the allegation is denied. Defendants deny each and every remaining allegation in Paragraph 133.
- 134. Answering Paragraph 134 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 134.
- 135. Answering Paragraph 135 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 135.
- 136. Answering Paragraph 136 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 136.
- 137. Answering Paragraph 137 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 137.
- 138. Answering Paragraph 138 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 138.
- 139. Answering Paragraph 139 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 139.
- 140. Answering Paragraph 140 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 140.
 - 141. Answering Paragraph 141 of the Complaint, Defendants admit that Plaintiff's

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Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 141.

- 142. Answering Paragraph 142 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Defendants admit that the Film is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 142 and specifically deny that the Film "follows the Plaintiff's model" in any way.
- 143. Answering Paragraph 143 of the Complaint, Defendants deny each and every allegation thereof.
- 144. Answering Paragraph 144 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Defendants admit that the Film is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 144.
- 145. Answering Paragraph 145 of the Complaint, Defendants deny each and every allegation thereof.
- 146. Answering Paragraph 146 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 146.
- 147. Answering Paragraph 147 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 147.
- 148. Answering Paragraph 148 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Defendants admit that the Film is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 148.
- 149. Answering Paragraph 149 of the Complaint, Defendants deny each and every allegation thereof.
- 150. Answering Paragraph 150 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Except as so

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admitted, Defendants deny each and every allegation in Paragraph 150.

- Answering Paragraph 151 of the Complaint, Defendants deny each and every 151. allegation thereof.
- Answering Paragraph 152 of the Complaint, Defendants deny each and every 152. allegation thereof.
- Answering Paragraph 153 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 153.
- Answering Paragraph 154 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Defendants admit that the Film is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 154.
- Answering Paragraph 155 of the Complaint, Defendants admit that Plaintiff's 155. Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 155.
- Answering Paragraph 156 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 156.
- Answering Paragraph 157 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 157.
- Answering Paragraph 158 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 158.
- 159. Answering Paragraph 159 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 159.
 - Answering Paragraph 160 of the Complaint, Defendants admit that Exhibit B to the 160.

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Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 160.

- 161. Answering Paragraph 161 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 161.
- 162. Answering Paragraph 162 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 162.
- 163. Answering Paragraph 163 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 163.
- 164. Answering Paragraph 164 of the Complaint, Defendants deny each and every allegation thereof.
- 165. Answering Paragraph 165 of the Complaint, Defendants deny each and every allegation thereof.
- 166. Answering Paragraph 166 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 166.
- 167. Answering Paragraph 167 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 167.
- 168. Answering Paragraph 168 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 168.
- 169. Answering Paragraph 169 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 169
 - 170. Answering Paragraph 170 of the Complaint, Defendants deny each and every

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allegation thereof.

- 171. Answering Paragraph 171 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Defendants admit that the Film is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 171.
- 172. Answering Paragraph 172 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 172.
- 173. Answering Paragraph 173 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 173.
- 174. Answering Paragraph 174 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 174.
- 175. Answering Paragraph 175 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Defendants admit that the Film is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 175.
- 176. Answering Paragraph 176 of the Complaint, Defendants deny each and every allegation thereof.
- 177. Answering Paragraph 177 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 177.
- 178. Answering Paragraph 178 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 178.
- 179. Answering Paragraph 179 of the Complaint, Defendants deny each and every allegation thereof.

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180.	Answering Paragraph 180 of the	e Complaint, Defendants admit that Plaintiff's
Screenplay i	s the best evidence of its contents.	Except as so admitted, Defendants deny each and
every allega	tion in Paragraph 180.	

- 181. Answering Paragraph 181 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 181.
- 182. Answering Paragraph 182 of the Complaint, Defendants deny each and every allegation thereof.
- 183. Answering Paragraph 183 of the Complaint, Defendants deny each and every allegation thereof.
- 184. Answering Paragraph 184 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 184.
- 185. Answering Paragraph 185 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 185.
- 186. Answering Paragraph 186 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 186.
- 187. Answering Paragraph 187 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 187.
- 188. Answering Paragraph 188 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 188.
- 189. Answering Paragraph 189 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 189.

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190.	Answering Paragraph 190 of the	e Complaint, Defendants admit that Plaintiff's
Screenplay	s the best evidence of its contents.	Except as so admitted, Defendants deny each and
every allega	tion in Paragraph 190.	

- 191. Answering Paragraph 191 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 191.
- 192. Answering Paragraph 192 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 192.
- 193. Answering Paragraph 193 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 193.
- 194. Answering Paragraph 194 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 194.
- 195. Answering Paragraph 195 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 195.
- 196. Answering Paragraph 196 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 196.
- 197. Answering Paragraph 197 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 197.
- 198. Answering Paragraph 198 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 198.
 - 199. Answering Paragraph 199 of the Complaint, Defendants deny each and every

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allegation thereof.

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200. Answering Paragraph 200 of the Complaint, Defendants admit that Plaintiff's Screenplay and Exhibit B to the Complaint are the best evidence of their contents. Defendants admit that the purported "official Elysium website" is the best evidence of its contents. Defendants admit that the Film is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 200.

- Answering Paragraph 201 of the Complaint, Defendants admit that Plaintiff's 201. Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 201.
- Answering Paragraph 202 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Defendants admit that the Film is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 202.
- Answering Paragraph 203 of the Complaint, Defendants admit that Plaintiff's 203. Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 203.
- Answering Paragraph 204 of the Complaint, Defendants admit that the purported "official ELYSIUM website" is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 204.
- Answering Paragraph 205 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Defendants admit that the purported "Elysium official website" is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 205.
- 206. Answering Paragraph 206 of the Complaint, Defendants admit that Plaintiff's Screenplay is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 206.
- Answering Paragraph 207 of the Complaint, Defendants admit that the purported "official Elysium website" is the best evidence of its contents. Except as so admitted, Defendants

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deny each and every allegation in Paragraph 207.

- 208. Answering Paragraph 208 of the Complaint, Defendants deny each and every allegation thereof.
- 209. Answering Paragraph 209 of the Complaint, Defendants admit that the purported "synopsis" is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 209 and specifically deny that Defendants created a synopsis of the Film which is patterned after Plaintiff's alleged synopsis.
- 210. Answering Paragraph 210 of the Complaint, Defendants admit that the "synopsis" purportedly quoted in Paragraph 210 is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 210.
- Answering Paragraph 211 of the Complaint, Defendants admit that the purported synopsis quoted in Paragraph 211 is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 211.
- Answering Paragraph 212 of the Complaint, Defendants admit that the purported synopsis is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 212 and specifically deny that Defendants created a synopsis of the Film which "follows" Plaintiff's alleged synopsis in any way.
- Answering Paragraph 213 of the Complaint, Defendants deny each and every allegation thereof.
- 214. Answering Paragraph 214 of the Complaint, Defendants deny each and every allegation thereof.
- 215. Answering Paragraph 215 of the Complaint, Defendants deny each and every allegation thereof.
- Answering Paragraph 216 of the Complaint, Defendants object on the basis that the 216. allegation is irrelevant and violates the requirement in Rule 8(a) of the Federal Rules of Civil Procedure for a "short and plain statement" of the claim, and on that basis the allegation is denied.
- Answering Paragraph 217 of the Complaint, Defendants admit that Exhibit B to the Complaint is the best evidence of its contents. Defendants admit that the Film is the best evidence

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ANSWER AND AFFIRMATIVE DEFENSES TO FAC FOR COPYRIGHT INFRINGEMENT CV 13-4679-PJH

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of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 217 and specifically deny that they were aware of Plaintiff's Screenplay before the filing of this lawsuit and edited the Film for any reasons relating to Plaintiff's Screenplay.

- 218. Answering Paragraph 218 of the Complaint, Defendants deny each and every allegation thereof.
- 219. Answering Paragraph 219 of the Complaint, Defendants deny each and every allegation thereof.
- 220. Answering Paragraph 220 of the Complaint, Defendants deny each and every allegation thereof.
- 221. Answering Paragraph 221 of the Complaint, Defendants admit that the documents referenced in Paragraph 221 are the best evidence of their contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 221.
- 222. Answering Paragraph 222 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 223. Answering Paragraph 223 of the Complaint, Defendants deny each and every allegation thereof.
- 224. Answering Paragraph 224 of the Complaint, Defendants deny each and every allegation thereof.
- 225. Answering Paragraph 225 of the Complaint, Defendants admit that the Ninth Circuit opinion quoted in Paragraph 225 is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 225.
- 226. Answering Paragraph 226 of the Complaint, Defendants admit that no one was complicit in Defendants' alleged access to Plaintiff's Screenplay, as none of Defendants were aware of or accessed Plaintiff's Screenplay prior to the filing of this action. Defendants deny each and every remaining allegation in Paragraph 226.
- 227. Answering Paragraph 227 of the Complaint, Defendants deny each and every allegation thereof.

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- 228. Answering Paragraph 228 of the Complaint, MRC admits that it and Trigger Street Productions are among the producers of the television series *House of Cards*. MRC denies each and every remaining allegation in Paragraph 228. The remaining Defendants (excluding MRC) lack sufficient information and belief upon which to admit or deny the allegations in Paragraph 228, and on that basis the allegations are denied by those Defendants.
- 229. Answering Paragraph 229 of the Complaint, QED admits that it was for some period of time contracted as a sales agent on the film "Inseparable." QED denies the remaining allegations in Paragraph 229. The remaining Defendants (excluding QED) lack sufficient information and belief upon which to admit or deny the allegations in Paragraph 229, and on that basis the allegations are denied by those Defendants.
- 230. Answering Paragraph 230 of the Complaint, SPE and TriStar deny each and every allegation thereof. The remaining Defendants (excluding SPE and TriStar) lack sufficient information and belief upon which to admit or deny the allegations in Paragraph 230, and on that basis the allegations are denied by those Defendants.
- 231. Answering Paragraph 231 of the Complaint, Defendants admit that Blomkamp is a well-known writer and director of feature films. Defendants lack sufficient information and belief upon which to admit or deny the remaining allegations in Paragraph 231, and on that basis those remaining allegations are denied.
- 232. Answering Paragraph 232 of the Complaint, Defendants admit that Blomkamp was a screenwriter and filmmaker as of 2007. Defendants deny that Blomkamp was aware of the website triggerstreet.com in 2007. Defendants lack sufficient information and belief upon which to admit or deny the remaining allegations in Paragraph 232, and on that basis those remaining allegations are denied.
- 233. Answering Paragraph 233 of the Complaint, Defendants admit that Blomkamp was a filmmaker as of 2007. Defendants admit that the film *District 9* was theatrically released in 2009. Defendants lack sufficient information and belief upon which to admit or deny the remaining allegations in Paragraph 233, and on that basis those remaining allegations are denied.
 - 234. Answering Paragraph 234 of the Complaint, Defendants admit that their Answer

ANSWER AND AFFIRMATIVE DEFENSES TO FAC FOR COPYRIGHT INFRINGEMENT

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and Affirmative Defenses to Complaint for Copyright Infringement is the best evidence of its contents. Except as so admitted, Defendants deny each and every allegation in Paragraph 234.

- Answering Paragraph 235 of the Complaint, Defendants deny each and every 235. allegation thereof.
- 236. Answering Paragraph 236 of the Complaint, Defendants admit that this action alleges copyright infringement of Plaintiff's Screenplay and nothing more. Defendants lack sufficient information and belief upon which to admit or deny the remaining allegations in Paragraph 236, and on that basis those remaining allegations are denied.
- 237. Answering Paragraph 237 of the Complaint, Defendants admit that this action alleges copyright infringement of Plaintiff's Screenplay and nothing more. Defendants lack sufficient information and belief upon which to admit or deny the remaining allegations in Paragraph 237, and on that basis those remaining allegations are denied.
- Answering Paragraph 238 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 239. Answering Paragraph 239 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.

THE PLAINTIFF'S IDENTITY AND PERSONAL HISTORY

- 240. Answering Paragraph 240 of the Complaint, Defendants deny each and every allegation thereof.
- 241. Answering Paragraph 241 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 242. Answering Paragraph 242 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
 - Answering Paragraph 243 of the Complaint, Defendants lack sufficient information

ANSWER AND AFFIRMATIVE DEFENSES TO FAC FOR COPYRIGHT INFRINGEMENT CV 13-4679-PJH

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and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.

- Answering Paragraph 244 of the Complaint, Defendants lack sufficient information 244. and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 245. Answering Paragraph 245 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 246. Answering Paragraph 246 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 247. Answering Paragraph 247 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- 248. Answering Paragraph 248 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- Answering Paragraph 249 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.

COUNT ONE

- Answering Paragraph 250 of the Complaint, Defendants incorporate by reference 250. the admissions and denials in Paragraphs 1 through 249, inclusive, as though fully set forth herein.
- Answering Paragraph 251 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations thereof, and on that basis the allegations are denied.
- Answering Paragraph 252 of the Complaint, Defendants deny each and every allegation thereof.

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- 253. Answering Paragraph 253 of the Complaint, Defendants deny each and every allegation thereof.
- 254. Answering Paragraph 254 of the Complaint, Defendants deny each and every allegation thereof.
- 255. Answering Paragraph 255 of the Complaint, Defendants deny each and every allegation thereof.
- 256. Answering Paragraph 256 of the Complaint, Defendants deny each and every allegation thereof.
- 257. Answering Paragraph 257 of the Complaint, Defendants deny each and every allegation thereof.
- 258. Answering Paragraph 258 of the Complaint, Defendants lack sufficient information and belief upon which to admit or deny the allegations concerning the accessibility of triggerstreet.com, and on that basis those allegations are denied. Defendants deny each and every remaining allegation in Paragraph 258 and specifically deny that they were aware of and accessed Plaintiff's Screenplay prior to the filing of this action.
- 259. Answering Paragraph 259 of the Complaint, Defendants deny each and every allegation thereof.
- 260. Answering Paragraph 260 of the Complaint, Defendants deny each and every allegation thereof.
- 261. Answering Paragraph 261 of the Complaint, Defendants deny each and every allegation thereof.

AFFIRMATIVE DEFENSES

Defendants set forth the following affirmative defenses without admitting that they have the burden of proof with regard to these matters:

FIRST AFFIRMATIVE DEFENSE

(Failure To State A Claim)

262. Plaintiff's Complaint fails to state a claim upon which relief may be granted.

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SECOND AFFIRMATIVE DEFENSE

(No Statutory Damages Or Attorneys' Fees)

263. One or more of Plaintiffs' claims for statutory damages and/or attorneys' fees under 17 U.S.C. § 504 are barred because some, if not all, of Plaintiffs' copyright registrations were not made within three months after the first publication of the allegedly infringing works, as required by 17 U.S.C. § 412.

THIRD AFFIRMATIVE DEFENSE

(Invalid Copyright)

264. Plaintiff's Complaint fails on the basis that the copyright asserted therein is invalid.

FOURTH AFFIRMATIVE DEFENSE

(Laches, Estoppel, and Waiver)

265. Plaintiff's Complaint and the relief requested therein are barred in whole or part under the doctrines of laches, estoppel, and/or waiver.

FIFTH AFFIRMATIVE DEFENSE

(Unclean Hands)

266. Plaintiff is precluded form recovering on any of his claims for relief by the doctrine of unclean hands.

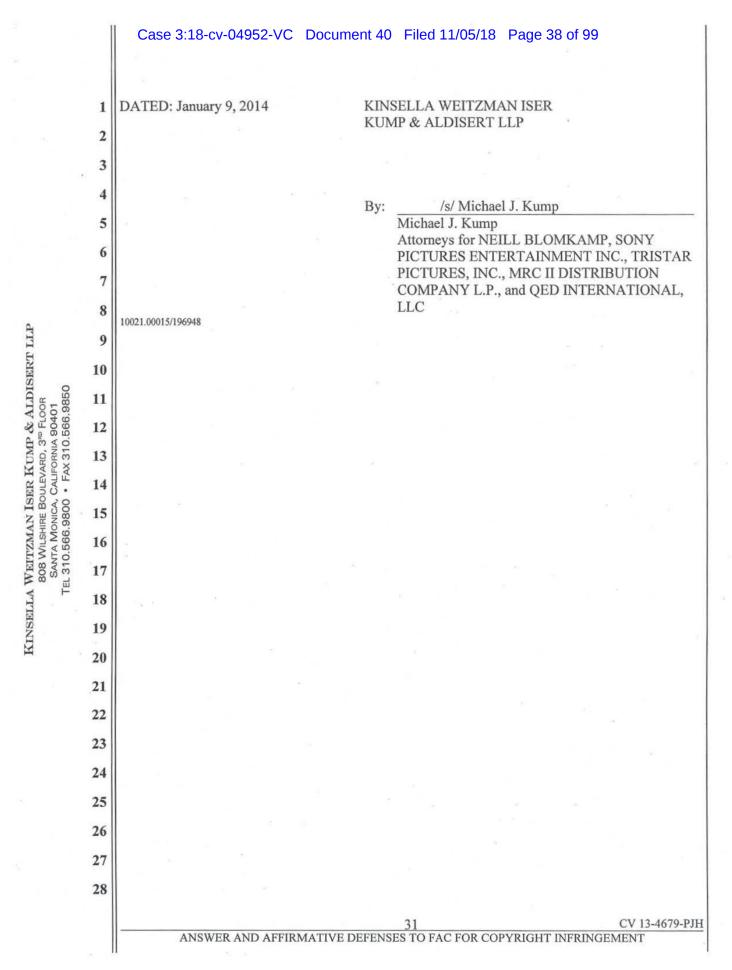
PRAYER FOR RELIEF

WHEREFORE, Defendants pray for judgment as follows:

- 1. That Plaintiff shall take nothing by way of the Complaint;
- 2. That the Complaint shall be dismissed with prejudice;
- For an award of attorneys' fees and costs; and
 - For such other and further relief as the Court deems just and proper.

Respectfully submitted,

30 CV 13-4679-PJH ANSWER AND AFFIRMATIVE DEFENSES TO FAC FOR COPYRIGHT INFRINGEMENT



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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 808 Wilshire Boulevard, 3rd Floor, Santa Monica, CA 90401.

On January 9, 2014, I served true copies of the following document(s) described as **DEFENDANTS' ANSWER AND AFFIRMATIVE DEFENSES TO FIRST AMENDED COMPLAINT FOR COPYRIGHT INFRINGEMENT** on the interested parties in this action as follows:

Steve Wilson Briggs 681 Edna Way San Mateo, CA 94402

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Plaintiff
Tel.: (510) 200-3763
Email: snc.steve@hotmail.com
snc.steve@gmail.com

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the address listed above and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Kinsella Weitzman Iser Kump & Aldisert's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service, in a sealed envelope with postage fully prepaid.

BY FAX TRANSMISSION: I faxed a copy of the document(s) to the persons at the fax numbers listed above. The telephone number of the sending facsimile machine was (310) 566-9850. No error was reported by the fax machine that I used.

□ BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address choffman@kwikalaw.com to the person at the e-mail address above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

□ BY OVERNIGHT DELIVERY: I enclosed said document(s) in an envelope or package provided by the overnight service carrier and addressed to the person at the address above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight service carrier or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on January 9, 2014, at Santa Monica, California.

Candace E. Hoffman

10021.00015/194734.1

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EXHIBIT B

Case 3:18-cv-04952-VC Document 40 Filed 11/05/18 Page 42 of 99 Pursuant to Civil L.R. 3-16, the undersigned certifies that the following listed persons, 1 2 associations of persons, firms, partnerships, corporations (including parent corporations) or other 3 entities (i) have a financial interest in the subject matter in controversy or in a party to the 4 proceeding, or (ii) have a non-financial interest in that subject matter or in a party that could be 5 substantially affected by the outcome of this proceeding: Steve Wilson Briggs (Plaintiff) 6 7 Neill Blomkamp (Defendant) 8 Sony Pictures Entertainment Inc. (Defendant) KINSELLA WEITZMAN ISER KUMP & ALDISERT LLP 9 TriStar Pictures, Inc. (Defendant) 10 MRC II Distribution Company L.P. (Defendant) CALIFORNIA 90401 FAX 310.566.9850 11 QED International, LLC (Defendant) 12 Media Rights Capital II, L.P. (Parent of Defendant) 13 14 DATED: November 27, 2013 KINSELLA WEITZMAN ISER SANTA MONICA, TEL 310.566.9800 KUMP & ALDISERT LLP 15 16 17 By: /s/ Michael J. Kump 18 Michael J. Kump Attorneys for NEILL BLOMKAMP, SONY 19 PICTURES ENTERTAINMENT INC., TRISTAR PICTURES, INC., MRC II DISTRIBUTION 20 COMPANY L.P., and QED INTERNATIONAL, 21 LLC 22 23 24 25 26 27 28 10021.00015/194858.1 CERTIFICATION OF INTERESTED ENTITIES OR PERSONS

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 808 Wilshire Boulevard, 3rd Floor, Santa Monica, CA 90401.

On November 27, 2013, I served true copies of the following document(s) described as:

DEFENDANTS' CERTIFICATION OF INTERESTED ENTITIES OR PERSONS

on the interested parties in this action as follows:

Steve Wilson Briggs 681 Edna Way	Plaintiff Pro Se	
San Mateo, CA 94402 Tele.: 510.200.3763 Email: snc.steve@gmail.com		

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the address listed above and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Kinsella Weitzman Iser Kump & Aldisert's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service, in a sealed envelope with postage fully prepaid.

BY OVERNIGHT DELIVERY: I enclosed said document(s) in an envelope or package provided by the overnight service carrier and addressed to the person at the address above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight service carrier or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents.

 \square BY HAND DELIVERY: I caused such envelope(s) to be delivered by hand to the office of the addressee(s).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on November 27, 2013, at Santa Monica, California.

<u>/s/ Barbara DiPalma</u> Barbara DiPalma

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EXHIBIT

C

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Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, Defendant Sony Pictures Entertainment Inc. hereby states that it is an indirect subsidiary of Sony Corporation and that no other publicly held corporation owns 10% or more of its stock.

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, Defendant TriStar Pictures, Inc. hereby states that it is an indirect subsidiary of Sony Corporation and that no other publicly held corporation owns 10% or more of its stock.

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, Defendant MRC II

Distribution Company L.P. hereby states that it has no parent corporation and that no publicly held corporation owns 10% or more of its stock.

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, Defendant QED International, LLC hereby states that it has no parent corporation and that no publicly held corporation owns 10% or more of its stock.

DATED: November 27, 2013 KINSELLA WEITZMAN ISER KUMP & ALDISERT LLP

By: /s/ Michael J. Kump
Michael J. Kump
Attorneys for NEILL BLOMKAMP, SONY
PICTURES ENTERTAINMENT INC., TRISTAR
PICTURES, INC., MRC II DISTRIBUTION
COMPANY L.P., and QED INTERNATIONAL,
LLC

10021.00015/194859.1 1 CORPORATE DISCLOSURE STATEMENT

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 808 Wilshire Boulevard, 3rd Floor, Santa Monica, CA 90401.

On November 27, 2013, I served true copies of the following document(s) described as:

CORPORATE DISCLOSURE STATEMENT OF DEFENDANTS SONY PICTURES ENTERTAINMENT INC., TRISTAR PICTURES INC., MRC II DISTRIBUTION COMPANY L.P., AND QED INTERNATIONAL LLC

on the interested parties in this action as follows:

Steve Wilson Briggs 681 Edna Way San Mateo, CA 94402 Tele.: 510.200.3763 Email: snc.steve@gmail.com	Plaintiff Pro Se
Eman. She.sevelagman.com	

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the address listed above and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Kinsella Weitzman Iser Kump & Aldisert's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service, in a sealed envelope with postage fully prepaid.

BY OVERNIGHT DELIVERY: I enclosed said document(s) in an envelope or package provided by the overnight service carrier and addressed to the person at the address above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight service carrier or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents.

BY HAND DELIVERY: I caused such envelope(s) to be delivered by hand to the office of the addressee(s).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on November 27, 2013, at Santa Monica, California.

/s/ Barbara DiPalma Barbara DiPalma

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Alex Padilla California Secretary of State

What can we help you with?

Search



Statement of Information Help



(http://bizfile.sos.ca.gov)

All LLC Statements of Information and the required Statement of Information for most corporations can be <u>submitted</u> <u>electronically (http://www.sos.ca.gov/business-programs/bizfile/)</u> using a credit card. PDF copies of imaged business entity documents, including Statements of Information are available for free on the Secretary of State's <u>Business Search (https://businesssearch.sos.ca.gov/)</u>.

Note: Statements of Information for common interest developments must be submitted on paper, by mail or in person (drop off), at this time.

Topics of Interest

- Filing Periods
- Tips for Online Filing
- <u>Tips for Filing Corporation Statements of Information</u>
- Tips for Filing Limited Liability Company (LLC) Statements of Information
- Filing Schedule

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Filing Periods

- Domestic stock and agricultural cooperative corporations must file a complete Statement of Information (Form SI-550) within the first 90 days of filing the Articles of Incorporation, after which a Statement of Information is due every year. See Filing Schedule.
- Domestic nonprofit corporations must file a complete Statement of Information (Form SI-100) within the first 90 days of filing the Articles of Incorporation, after which a Statement of Information is due every two years (every odd year or every even year based on year of initial registration). See Filing Schedule.
 - Note: Credit unions and general cooperative corporations are required to file every year instead of every two years.
 - Filing tip: If the corporation's Articles of Incorporation were originally filed with the California Secretary of State in an even-numbered year, file the SI-100 (and SI-CID, if applicable) every even-numbered year. If the corporation originally filed Articles of Incorporation with the California Secretary of State in an odd-numbered year, file every odd-numbered year.
- Foreign corporations must file a complete Statement of Information (Form SI-550) within the first 90 days of filing the Statement and Designation by Foreign Corporation, after which a Statement of Information is due every year. <u>See Filing Schedule.</u>
- Limited liability companies must file a complete Statement of Information (Form LLC-12) within the first 90 days of filing the Articles of Organization or Application to Register, after which a Statement of Information is due every two years (every odd year or every even year based on year of initial registration). See Filing Schedule.
 - Filing tip: If the limited liability company's Articles of Organization or Application to Register
 was originally filed with the California Secretary of State in an even-numbered year, file the
 LLC-12 every even-numbered year. If the limited liability company originally filed with the
 California Secretary of State in an odd-numbered year, file every odd-numbered year.

In addition, any time there are information changes in between statutory filing periods, an updated statement should be filed.

Failure to file the required Statement of Information with the Secretary of State as outlined in statute may result in penalties being assessed by the Franchise Tax Board and suspension or forfeiture.

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Tips for Filing Online

Please visit <u>Statements of Information (/business-programs/business-entities/statements/)</u> to obtain forms to submit by paper.

To file online, users will need:

- Internet Explorer version 8 or later.
- · A valid Visa or MasterCard.
- Software to view PDF/A files if a free electronic copy is requested.

A statement is not submitted for filing until after the credit card payment has been accepted, and the payment confirmation screen is displayed. The payment confirmation screen provides the ability to enter an email address for a free PDF copy. Statements are normally filed within 1 business day and, if requested, electronic copies are sent out within 3 business days.

The returned electronic copy will be in a secure PDF/A format. Forms may appear blank if viewed with software that is incompatible with the file format, or when viewed on cell phones or tablets. The Secretary of State recommends viewing the return copies on a desktop, laptop or notebook computer.

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Note: If "no change" is selected, the "no change" box on the form image will be checked and the form will only display the entity name, the corporation number, the date submitted, and the name and title of the submitter.

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Tips for Filing Corporation Statements of Information

- Include the appropriate filing fee when submitting Statements of Information. Filing fees are available on <u>Forms, Samples and Fees (/business-programs/business-entities/forms/)</u>. If a statement is being filed to update any information on a previously filed statement and is being filed outside the statutory filing period, no fee is required. If filing the statutory required statement, the total filing fee is \$25 for stock corporations and \$20 for non-stock corporations.
- The name of the corporation must be entered exactly as it is registered with the California Secretary of State.
 The name and entity number can be researched on <u>Business Search (https://businesssearch.sos.ca.gov/)</u>.
- If the agent for service of process of the entity has changed or resigned, a fully completed statement must be submitted.
- For California stock, agricultural cooperatives and foreign corporations, if a current fully completed Statement
 of Information has been filed previously with the Secretary of State's office and no changes need to be made
 on the current required statement, a Statement of No Change (Form SI-550 NC) can be submitted. If ANY
 changes have occurred since the last fully completed Statement of Information was filed, a new fully
 completed Statement of Information (Form SI-550) must be submitted. Please read and follow the
 instructions on each form.
- Addresses must be completed with the city, state and zip. The submitted form will be returned unfiled if an
 address is incomplete or if a P.O. Box is entered as a street address.
- Corporations must have all three statutory officers. (Chief Executive Officer, Secretary and Chief Financial
 Officer.) Comparable titles may be added, but the preprinted titles on the form must not be altered. Each
 officer must have a complete business or residential address.
- A complete California street address is required for an agent for service of process. The submitted form will
 be returned unfilled if a P.O. Box is entered as the agent address. If the entity named as agent is a
 corporation, it must meet the requirements of California Corporations Code section 1505. A corporation
 cannot act as its own agent.
- The type of business entered must be specific to the type of business in which the corporation currently is engaged.
- The information on the form must be legible for scanning. Either type or write the information.
- The most current forms are available at <u>Statements of Information (/business-programs/businessentities/statements/)</u>. Submissions on incorrect or outdated forms will be returned unfilled.
- The required Statement of Information for most corporations can be submitted online and is processed generally in one business day.
- If the entity is a Common Interest Development, the CID box on the Form SI-100 must be checked and both
 the Statement by Common Interest Development (Form SI-CID) and Form SI-100 must be submitted on
 paper, by mail or in person, with appropriate fees.

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Tips for Limited Liability Company (LLC) Statements of Information

Include the appropriate filing fee when submitting Statements of Information. Filing fees are available on
 <u>Forms, Samples and Fees (/business-programs/business-entities/forms/)</u>. If a statement is being filed to

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update any information on a previously filed statement and is being filed outside the statutory filing period, no fee is required. If filing the statutory required statement, the filing fee is \$20.

- The name of the limited liability company must be entered exactly as it is registered with the California Secretary of State. The name and entity number can be researched on <u>Business Search</u> (https://businesssearch.sos.ca.gov/).
- The jurisdiction must match the Secretary of State's records. The jurisdiction can be researched on <u>Business Search (http://kepler.sos.ca.gov/)</u>.
- If a current fully complete Statement of Information has been filed previously with the Secretary of State's
 office and no changes need to be made to the information provided on the current filed fully complete
 Statement of Information, a Statement of No Change (Form LLC-12NC) can be submitted. If ANY changes
 have occurred to the information provided on the current fully complete Statement of Information, a new fully
 complete Statement of Information (Form LLC-12) must be submitted. Please read and follow the
 instructions on each form.
- Addresses must be completed with city, state and zip. The submitted form will be returned unfiled if an
 address is incomplete or if a P.O. Box is entered as a street address.
- Every limited liability company is required to have at least one member. If no manager is appointed or elected, all members are managers. Each listed manager or member-manager must have a complete business or residential address.
- A complete California street address is required for an individual named as agent for service of process. The
 submitted form will be returned unfiled if a P.O. Box is entered as the agent's address. If the named agent is
 a corporation, the corporation must have a current California Corporations Code section 1505 registration on
 file with the California Secretary of State.
- Provide the general type of business or service in which the limited liability company is engaged or will be engaged.
- The information on the form must be legible for imaging. Either type or write the information neatly.
- The most current forms are available at <u>Statements of Information (/business-programs/business-entities/statements/)</u>. Submissions on incorrect or outdated forms will be returned unfiled.

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Filing Schedule

After the initial statement is filed, the following chart can be used to determine the filing period when subsequent statements are due.

The incorporation, registration, formation or conversion date of an entity is listed under "Date Filed" on the <u>Business Search (https://businesssearch.sos.ca.gov/)</u>.

Domestic stock, agricultural cooperatives, credit unions, general cooperatives and all foreign corporations must file a statement every year. Domestic nonprofit corporations and all limited liability companies must file a statement every two years.

Filing tip for entities that must file every two years: If the entity's year of incorporation, registration, formation, or conversion was an even numbered year, file every even numbered year. If the year of incorporation, registration, formation, or conversion was an odd numbered year, file in every odd year.

Statutory Required 6 Month Filing Window

Month of Incorporation, Registration, Formation, or Conversion	Statement of Information Filing Period		
	First day of		

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		Through last day of
January	August	January
February	September	February
March	October	March
April	November	April
May	December	May
June	January	June
July	February	July
August	March	August
September	April	September
October	May	October
November	June	November
December	July	December

Statements to update information on a previous filing and submitted outside the statutory filing period must be submitted on paper. Statements submitted on paper should be directed to the <u>Secretary of State's office in Sacramento (/business-programs/business-entities/contact/)</u>, either by mail or delivered in person. Current processing times for paper forms may be found on <u>Processing Times (/business-programs/business-entities/processing-times/)</u>.

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CORPORATIONS CODE - CORP

TITLE 1. CORPORATIONS [100 - 14631] (Title 1 enacted by Stats. 1947, Ch. 1038.)

DIVISION 1. GENERAL CORPORATION LAW [100 - 2319] (Division 1 repealed and added by Stats. 1975, Ch. 682.)

CHAPTER 15. Records and Reports [1500 - 1512] (Chapter 15 added by Stats. 1975, Ch. 682.)

- ^{1502.} (a) Every corporation shall file, within 90 days after the filing of its original articles and annually thereafter during the applicable filing period, on a form prescribed by the Secretary of State, a statement containing all of the following:
- (1) The name of the corporation and the Secretary of State's file number.
- (2) The names and complete business or residence addresses of its incumbent directors.
- (3) The number of vacancies on the board, if any.
- (4) The names and complete business or residence addresses of its chief executive officer, secretary, and chief financial officer.
- (5) The street address of its principal executive office.
- (6) The mailing address of the corporation, if different from the street address of its principal executive office.
- (7) If the address of its principal executive office is not in this state, the street address of its principal business office in this state, if any.
- (8) If the corporation chooses to receive renewal notices and any other notifications from the Secretary of State by electronic mail instead of by United States mail, the corporation shall include a valid electronic mail address for the corporation or for the corporation's designee to receive those notices.
- (9) A statement of the general type of business that constitutes the principal business activity of the corporation (for example, manufacturer of aircraft; wholesale liquor distributor; or retail department store).
- (b) The statement required by subdivision (a) shall also designate, as the agent of the corporation for the purpose of service of process, a natural person residing in this state or a corporation that has complied with Section 1505 and whose capacity to act as an agent has not terminated. If a natural person is designated, the statement shall set forth that person's complete business or residence street address. If a corporate agent is designated, no address for it shall be set forth.
- (c) If there has been no change in the information in the last filed statement of the corporation on file in the Secretary of State's office, the corporation may, in lieu of filing the statement required by subdivisions (a) and (b), advise the Secretary of State, on a form prescribed by the Secretary of State, that no changes in the required information have occurred during the applicable filing period.
- (d) For the purposes of this section, the applicable filing period for a corporation shall be the calendar month during which its original articles were filed and the immediately preceding five calendar months. The Secretary of State shall provide a notice to each corporation to comply with this section approximately three months prior to the close of the applicable filing period. The notice shall state the due date for compliance and shall be sent to the last address of the corporation according to the records of the Secretary of State or to the last electronic mail address according to the records of the Secretary of State if the corporation has elected to receive notices from the Secretary of State by electronic mail. The failure of the corporation to receive the notice is not an excuse for failure to comply with this section.
- (e) Whenever any of the information required by subdivision (a) is changed, the corporation may file a current statement containing all the information required by subdivisions (a) and (b). In order to change its agent for service of process or the address of the agent, the corporation must file a current statement containing all the

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information required by subdivisions (a) and (b). Whenever any statement is filed pursuant to this section, it supersedes any previously filed statement and the statement in the articles as to the agent for service of process and the address of the agent.

- (f) The Secretary of State may destroy or otherwise dispose of any statement filed pursuant to this section after it has been superseded by the filing of a new statement.
- (g) This section shall not be construed to place any person dealing with the corporation on notice of, or under any duty to inquire about, the existence or content of a statement filed pursuant to this section.
- (h) The statement required by subdivision (a) shall be available and open to the public for inspection. The Secretary of State shall provide access to all information contained in this statement by means of an online database.
- (i) In addition to any other fees required, a corporation shall pay a five-dollar (\$5) disclosure fee when filing the statement required by subdivision (a). One-half of the fee shall, notwithstanding Section 12176 of the Government Code, be deposited into the Business Programs Modernization Fund established in subdivision (k), and one-half shall be deposited into the Victims of Corporate Fraud Compensation Fund established in Section 2280.
- (j) A corporation shall certify that the information it provides pursuant to subdivisions (a) and (b) is true and correct. No claim may be made against the state for inaccurate information contained in the statements.
- (k) There is hereby established the Business Programs Modernization Fund in the State Treasury. Moneys deposited into the fund shall, upon appropriation by the Legislature, be available to the Secretary of State to further the purposes of this section, including the development and maintenance of the online database required by subdivision (h), and by subdivision (c) of Section 2117.

(Amended by Stats. 2013, Ch. 364, Sec. 1. (AB 554) Effective January 1, 2014.)

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CORPORATIONS CODE - CORP

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TITLE 1. CORPORATIONS [100 - 14631] (Title 1 enacted by Stats. 1947, Ch. 1038.)
DIVISION 1. GENERAL CORPORATION LAW [100 - 2319] (Division 1 repealed and added by Stats. 1975, Ch. 682.)

CHAPTER 15. Records and Reports [1500 - 1512] (Chapter 15 added by Stats. 1975, Ch. 682.)

- 1507. Any officers, directors, employees or agents of a corporation who do any of the following are liable jointly and severally for all the damages resulting therefrom to the corporation or any person injured thereby who relied thereon or to both:
- (a) Make, issue, deliver or publish any prospectus, report, circular, certificate, financial statement, balance sheet, public notice or document respecting the corporation or its shares, assets, liabilities, capital, dividends, business, earnings or accounts which is false in any material respect, knowing it to be false, or participate in the making, issuance, delivery or publication thereof with knowledge that the same is false in a material respect.
- (b) Make or cause to be made in the books, minutes, records or accounts of a corporation any entry which is false in any material particular knowing such entry is false.
- (c) Remove, erase, alter or cancel any entry in any books or records of the corporation, with intent to deceive. (Repealed and added by Stats. 1975, Ch. 682.)

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EXHIBIT

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Alex Padilla California Secretary of State



Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Friday, November 2, 2018. Please refer to document <u>Processing Times</u> for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

200704800009 MRC II DISTRIBUTION COMPANY, L.P.

Registration Date: 02/15/2007
Jurisdiction: DELAWARE
Entity Type: FOREIGN
Status: ACTIVE

Agent for Service of Process: SCOTT TENLEY

1800 CENTURY PRK EAST 10TH FL

LOS ANGELES CA 90067

Entity Address: 9601 WILSHIRE BLVD SUITE 610

BEVERLY HILLS CA 90212

Entity Mailing Address:

Document Type 11	File Date 1.	PDF
AMENDMENT	02/06/2012	
AMENDMENT	11/14/2011	
REGISTRATION	02/15/2007	

^{*} Indicates the information is not contained in the California Secretary of State's database.

Note: If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- · For information on checking or reserving a name, refer to Name Availability.
- If the image is not available online, for information on ordering a copy refer to <u>Information Requests</u>.
- For information on ordering certificates, status reports, certified copies of documents and copies of
 documents not currently available in the Business Search or to request a more extensive search for records,
 refer to <u>Information Requests</u>.
- For help with searching an entity name, refer to Search Tips.
- For descriptions of the various fields and status types, refer to Frequently Asked Questions.

Modify Search New Search Back to Search Results

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LP-5 (REV 03/2005)

1:-

State of California Secretary of State

FOREIGN LIMITED PARTNERSHIP APPLICATION FOR REGISTRATION

200704800009



FEB 1 5 2007

A \$70.00 filing fee must accompany this form. IMPORTANT - Read instructions before completing this form. This Space For Filing Use Only ENTITY NAME (End the name in Item 1 with the words "Limited Partnership" or the abbreviation "L.P.") NAME UNDER WHICH THE FOREIGN LIMITED PARTNERSHIP PROPOSES TO REGISTER AND TRANSACT BUSINESS IN CALIFORNIA MRC II DISTRIBUTION COMPANY, L.P. NAME OF THE FOREIGN LIMITED PARTNERSHIP, IF DIFFERENT FROM THAT ENTERED IN ITEM 1 ABOVE OFFICE ADDRESSES (Do not abbreviate the name of the city.) ZIP CODE ADDRESS OF THE PRINCIPAL EXECUTIVE OFFICE CITY AND STATE 90212 BEVERLY HILLS, CA 9601 WILSHIRE BLVD., SUITE 610 ADDRESS OF THE PRINCIPAL OFFICE IN CALIFORNIA, IF ANY CITY STATE ZIP CODE 9601 WILSHIRE BLVD., SUITE 610 **BEVERLY HILLS** 90212 CA DATE AND PLACE OF ORGANIZATION THIS FOREIGN LIMITED PARTNERSHIP WAS FORMED ON 11 30 06 DELAWARE (MONTH) (YEAR) AND IS AUTHORIZED TO EXERCISE ITS POWERS AND PRIVILEGES IN THAT STATE OR COUNTRY AGENT FOR SERVICE OF PROCESS (If the agent is an individual, the agent must reside in California and both Items 6 and 7 must be completed. If the agent is a corporation, the agent must have on file with the California Secretary of State a certificate pursuant to Corporations Code section 1505 and Item 6 must be completed (leave Item 7 blank).) NAME OF AGENT FOR SERVICE OF PROCESS MICHAEL S. SHERMAN, ESQ. IF AN INDIVIDUAL, ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA ZIP CODE CITY STATE 1900 AVENUE OF THE STARS, 7TH FLOOR LOS ANGELES CA 90067 APPOINTMENT (The following statement is required by statute and may not be altered.) IN THE EVENT THE ABOVE AGENT FOR SERVICE OF PROCESS RESIGNS AND IS NOT REPLACED, OR IF THE AGENT CANNOT BE FOUND OR SERVED WITH THE EXERCISE OF REASONABLE DILIGENCE, THE SECRETARY OF STATE OF THE STATE OF CALIFORNIA IS HEREBY APPOINTED AS THE AGENT FOR SERVICE OF PROCESS OF THIS FOREIGN LIMITED PARTNERSHIP GENERAL PARTNERS (Enter the names and addresses of all of the general partners. Attach additional pages, if necessary.) ADDRESS ZIP CODE NAME CITY AND STATE 9601 WILSHIRE BLVD., # 610 MRC II SUB GP, LLC BEVERLY HILLS, CA 90212 NAME **ADDRESS** CITY AND STATE ZIP CODE 9h. EXECUTION 10 I DECLARE I AM THE PERSON WHO EXECUTED THIS INSTRUMENT, WHICH EXECUTION IS MY ACT AND DEED. SEE ATTACHED SIGNATURE PAGE SIGNATURE OF GENERAL PARTNER DATE TYPE OR PRINT NAME OF GENERAL PARTNER RETURN TO (Enter the name and the address of the person or firm to whom a copy of the filed document should be returned.) 11. NAME MICHAEL S. SHERMAN, ESQ. FIRM JEFFER, MANGELS, BUTLER & MARMARO 1900 AVENUE OF THE STARS, 7TH FLOOR **ADDRESS** CITY/STATE/ZIP LOS ANGELES, CA 90067

APPROVED BY SECRETARY OF STATE

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FOREIGN LIMITED PARTNERSHIP APPLICATION FOR REGISTRATION ADDENDUM

MRC II DISTRIBUTION COMPANY, L.P. a Delaware limited partnership

EXECUTION
10. General Partner

MRC II SUB GP, LLC, a Delaware limited liability company Its General Partner February 15, 2007 Date

By: Media Rights Capital II, L.P. a Delaware limited partnership

Its Member

By: MRCLP GP, LLC

Its General Partner

By: Asif Satchu,

Its Authorized Signatory

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LP-6



State of California **Secretary of State**

FILED

In the Office of the Secretary of State of the State of California

FEB 06 2012

Foreign Limited Partnership Amendment to Application for Registration

A \$30.00 filing fee must accompany this form.

IMPORTANT – Read instruction	ns before completing this form.	Ţ	his Space For Filing L	se Only
File Number	Entity Name (Enter the exact name of the	limited partnership.)		
. CA SECRETARY OF STATE FILE NUMBER 2. NAME UNDER WHICH THE FOREIGN LIMITED PARTNERSHIP CONDUCTS BUSINESS IN CALIFORNIA				
200704800009	MRC II Distribution Company	LP 		
Items 3 through 13: (Complete ONLY the ite may be made on an attachment to this document.				atters to be included
Entity Name as amended (Complete Item amending or adding an alternate name in Californi	a. See instructions.)	ership has changed in	the foreign jurisdiction.	Complete Item 4 if
3. NAME OF FOREIGN LIMITED PARTNERSHIP A	S AMENDED IN THE FOREIGN JURISDICTION			
ALTERNATE NAME (See instructions before con	npleting Item 4.)			
Office Addresses				
5. ADDRESS OF PRINCIPAL OFFICE		CITY	STATE	ZIP CODE
6. ADDRESS OF OFFICE REQUIRED IN THE J	URISDICTION OF FORMATION, IF ANY	CITY	STATE	ZIP CODE
Agent for Service of Process (If the agent blank.)	nt is an individual, complete both Items 7 and 8	i. If the agent is a corp	poration, complete Item	7 and leave Item 8
7. NAME OF AGENT FOR SERVICE OF PROCESS	:			
Scott Tenley				
8. IF AN INDIVIDUAL, ADDRESS OF AGENT FOR	SERVICE OF PROCESS IN CA	CITY	STATE	ZIP CODE
1800 Century Park East, 10th Flo	orLos An	geles	CA	90067
General Partner Information (New Partr	er, Address Change, Name Change,	and/or Withdrawn	Partner(s))	
9. New NAME Partner	ADDRESS	CITY	STATE	ZIP CODE
10. Address NAME Change	ADDRESS	CITY	STATE	ZIP CODE
11. Name · FROM: Change	TO:			
12. Withdrawn NAME: Partner(s)	NAME:			
Foreign Limited Liability Limited Partne	ershi p			
13. CHECK THIS BOX IF THE FOREIGN LIMITE	ED PARTNERSHIP IS A FOREIGN LIMITED LIABIL	.IDV.IMITED PARTNER	RSHIP.	
Execution (This document must be signed by signatures may be made on an attachment to this	document.)			_
14. I DECLARE I AM THE PERSON WHO EXECUTE	ED THIS INSTRUMENT, WHICH EXECUTION IS M	Y ACT AND DEED.	Scott Tenler	
I 25 2012			mea II	SUB GP, UC
January 25, 2012 DATE	SIGNATURE OF GI	ENERAL PARTHER	/ ITRC II	340 GF,UC
	MRC II SUB			
	TYPE OR PRINT'N	AME OF GENERAL PAR	RTNER	
LP-6 (REV 01/2010)			APPROVED BY S	ECRETARY OF STATE

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Alex Padilla California Secretary of State



Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Friday, November 2, 2018. Please refer to document <u>Processing Times</u> for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

200912710034 WILLIAM MORRIS ENDEAVOR ENTERTAINMENT, LLC

Registration Date: 05/05/2009
Jurisdiction: DELAWARE
Entity Type: FOREIGN
Status: ACTIVE

Agent for Service of Process: CORPORATION SERVICE COMPANY WHICH

WILL DO BUSINESS IN CALIFORNIA AS CSC -

LAWYERS INCORPORATING SERVICE,

(C1592199)

To find the most current California registered Corporate Agent for Service of Process address and authorized employee(s) information, click the link above and then

select the most current 1505 Certificate.

Entity Address: 9601 WILSHIRE BLVD 3RD FL
BEVERLY HILLS CA 90210

Entity Mailing Address: 9601 WILSHIRE BLVD 3RD FL
BEVERLY HILLS CA 90210

LLC Management

A Statement of Information is due EVERY ODD-NUMBERED year beginning five months before and through the end of May.

Document Type 11	File Date J.F.	PDF
SI-COMPLETE	03/28/2018	
SI-COMPLETE	05/16/2017	
REGISTRATION	05/05/2009	

^{*} Indicates the information is not contained in the California Secretary of State's database.

Note: If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- · For information on checking or reserving a name, refer to Name Availability.
- If the image is not available online, for information on ordering a copy refer to <u>Information Requests</u>.
- For information on ordering certificates, status reports, certified copies of documents and copies of

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documents not currently available in the Business Search or to request a more extensive search for records, refer to <u>Information Requests</u>.

- For help with searching an entity name, refer to Search Tips.
- For descriptions of the various fields and status types, refer to Frequently Asked Questions.

Modify Search

New Search

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Secretary of State	L	LC-12			Pt 11		
Statement of Information (Limited Liability Company)		43	FILED Secretary of State State of California				
IMPORTANT — This form can be filed online at bize	file.sos.ca.a		<u> </u>				
Read instructions before completing this form.				MA	R 2 8 20;	8	
Filing Fee - \$20.00			1	,		_	
Copy Fees - First page \$1.00; each attachment page Certification Fee - \$5.00 plus copy fees	· ·		1		For Office Use	Only	γ
Limited Liability Company Name (Enter the exact name of	the LLC. If you	registered in Calific	omia using an a	temale name, s	es instructions.)		
William Morris Endeavor Entertainment, LLC							
2. 12-Digit Secretary of State Entity (File) Number	3. State,	Foreign Count	ry or Place o	of Organizatio	in (only if formed o	rutside	of California)
200912710034			Đ	elaware			
4. Business Addresses							
Street Address of Principal Office- Do not list a P.O. Box		City (no abbrevi	ations)		State	Zit	Code
9601 Wilshire Blvd., 3rd Floor		Beverly Hill:			CA		210
b. Mailing Address of LLC, If different than I tem 4a		City (no abbrevi	ayons)		State	' Zip	Code
c. Street Address of California Office, Il Itam 4a is not in California - Do no	n list a P.O. Box	City (no abbrevi	ations)		Stor		o Code
f! no managers have been a must be listed. If the manager an emitry, complete items 50 a hos additional managers/mem	r/member is an in and 5c (leave Item	idividual, complete n 5a blank). Note:	items 5e and The LLC carr	Sc (leave Item ! vol serve as its i	5b bbank). If the r	nanage	arlmember is
a. First Name, if an Individual - Do not complete Item 5b		Middle Name		Last Name			Suffix
b. Entity Name - Do not complete Nem 5a WME IMG, LLC		<u> </u>					
c Address		City (no abbrevi	ations)		State	Ziţ	o Cede
9601 Wilshire Blvd., 3rd Floor		Beverly Hill	5		CA	. 90	210
6. Service of Process (Must provide either Individual OR Con	•						
INDIVIDUAL - Complete Items 6a and 6b only. Must include ag- a. California Agent's First Name (if agent is not a corporation)	ent's full name a	Midda Name	l address.	Lasi Name			Suffix
a. Computing regulars that receive the object to the continuency in		(MAGE IN BATTLE)		Cost Name			34114
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box	·	City (no abbrevi	ations)		State CA		Code
CORPORATION - Complete Item 6c only. Only include the name	ne of the register	ed agent Corporat	on.		I		
c. California Registerad Corporate Agent's Name (if agent is a corporation)) – Do not comp et	te ltem 6e or 6b		 -	C156	7214	1
Corporation Service Company Which Will Do Bus	siness In Ca	lifornia As CS	C - Lawyer	rs Incorpora	iting Service		` '
7. Type of Business							
Describe the type of business or services of the Limited Liability Company							
Entertainment							
Chief Executive Officer, if elected or appointed First Name		Middle Name	Т	Last Name			Suffix
Ariei		MACO-I HAIRE		Emanuel			
b. Address 0601 Willchiro Rivd 3rd Floor		City (no abbrevi			Stat		p Code
9601 Wilshire Blvd., 3rd Floor 9. The information contained herein, including any a	ttachments r	Beverly Hill made part of t		nt, is true ar	d correct.	, 1 An	0210
March 27, 2018 Karina Yamada Date Type or Print Name of Person Co	ompleting the f		Authorized Title	Person_	Signature		
LLC-12 (REV 01/2018)	. •			20	18 California Secr	etary of	
					DiZ.me	303.CZ	េទិល
			•				

Case 3:18-cv-04952-VC Document 40 Filed 11/05/18 Page 71 of 99

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Alex Padilla California Secretary of State



Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Friday, November 2, 2018. Please refer to document <u>Processing Times</u> for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

C1598055 SONY PICTURES ENTERTAINMENT INC.

Registration Date: 10/09/1987
Jurisdiction: DELAWARE
Entity Type: FOREIGN STOCK

Status: ACTIVE

Agent for Service of Process: DANIEL FLOYD

10202 W. WASHINGTON BLVD.

CUVLER CITY CA 90232

Entity Address: 10202 W. WASHINGTON BLVD.

CULVER CITY CA 90232

Entity Mailing Address: 10202 W. WASHINGTON BLVD.

CULVER CITY CA 90232

A Statement of Information is due EVERY year beginning five months before and through the end of October.

Document Type 11	File Date 1.	PDF
SI-COMPLETE	10/11/2018	
SI-COMPLETE	02/13/2018	
1505 CERTIFICATE	11/22/1993	
AMENDED REGISTRATION	08/30/1991	
AMENDED REGISTRATION	12/22/1987	
REGISTRATION	10/09/1987	

^{*} Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please
 refer to California Corporations Code <u>section 2114</u> for information relating to service upon corporations that
 have surrendered.
- For information on checking or reserving a name, refer to Name Availability.
- If the image is not available online, for information on ordering a copy refer to Information Requests.
- · For information on ordering certificates, status reports, certified copies of documents and copies of

11/3/2018

Case 3:18-@us @cs\$9562rd//@us @csscEntitions n Bush @cssPriog chris1/@bibling Sepretare of 58 tent 99

documents not currently available in the Business Search or to request a more extensive search for records, refer to <u>Information Requests</u>.

- For help with searching an entity name, refer to Search Tips.
- For descriptions of the various fields and status types, refer to Frequently Asked Questions.

Modify Search

New Search

Back to Search Results

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Alex Padilla California Secretary of State



Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Friday, November 2, 2018. Please refer to document <u>Processing Times</u> for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

200826100018 MEDIA RIGHTS CAPITAL II, L.P.

Registration Date: 09/17/2008
Jurisdiction: DELAWARE
Entity Type: FOREIGN
Status: ACTIVE

Agent for Service of Process: SCOTT TENLEY

1800 CENTURY PARK EAST 10TH FL

LOS ANGELES CA 90067

Entity Address: 1800 CENTURY PARK EAST 10TH FL

LOS ANGELES CA 90067

Entity Mailing Address:

Document Type 👢 🕽	File Date LF	PDF
REGISTRATION	09/17/2008	

^{*} Indicates the information is not contained in the California Secretary of State's database.

Note: If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- For information on checking or reserving a name, refer to Name Availability.
- If the image is not available online, for information on ordering a copy refer to Information Requests.
- For information on ordering certificates, status reports, certified copies of documents and copies of documents not currently available in the Business Search or to request a more extensive search for records, refer to Information Requests.
- For help with searching an entity name, refer to Search Tips.
- For descriptions of the various fields and status types, refer to Frequently Asked Questions.

Modify Search	New Search	Back to Search Results

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Case 3:18-cv-04952-VC Document 40 Filed 11/05/18 Page 77 of 99 0 0 1 8



State of California Secretary of State

in the office of the Secretary of State of the State of California

SEP 1.7 2008

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FOREIGN LIMITED PARTNERSHIP APPLICATION FOR REGISTRATION

APPLICATI	ON FOR REGISTRATION					
	tificate of good standing by an authorized pu ormation must accompany this form.	blic				
IMPORTANT - Read instructions before completing this form.		This Sp	This Space For Filing Use Only			
ENTITY NAME (See instruction	is for name requirements in the State of California.)	<u> </u>				
1. NAME OF FOREIGN LIMITED PA	RTNERSHIP					
Media Rights Capital II	, L.P.					
2 ALTERNATE NAME (if the name	in Item 1 does not comply with the requirements of California	Corporations Code section 15901.0	08. See instructions)			
OFFICE ADDRESSES (Please	e do not abbreviate the name of the city.)		_	-		
3. ADDRESS OF PRINCIPAL OFFIC	E	CITY	STATE	ZIP CODE		
1800 Century Park Ea	st, 10th Floor	Los Angeles	CA	90067		
	D IN THE JURISDICTION OF FORMATION, IF ANY	CITY	STATE	ZIP CODE		
c/o Corporation Service (2711 Centerville Road, S		Wilmington	DE	19808		
DATE AND PLACE OF ORGA	<u> </u>					
5. THE FOREIGN LIMITED PARTNE		6 UNDER THE LAWS OF	Dela	ware .		
o. The Foreign changes from		AR)		R COUNTRY)		
Items 6 and 7 must be complete	CE OF PROCESS IN CALIFORNIA (If the initial of the initial agent is a corporation, the agent motion 1505 and Item 6 must be completed (leave Item).	ust have on file with the Califo	nt must reside in ornia Secretary of	California and both State a certificate		
6 NAME OF INITIAL AGENT FOR S	ERVICE OF PROCESS		•			
Scott Tenley				·		
7 IF AN INDIVIDUAL, ADDRESS OF	INITIAL AGENT FOR SERVICE OF PROCESS IN CA	CITY	STATE	ZIP CODE		
1800 Century Park Eas	st, 10th Floor	Los Angeles	CA	90067		
	or the names and addresses of all the general partne ace and made part of this document)	ers. Attach additional pages, if	necessary. Altac	hments, if any, are		
8a NAME	ADDRESS	CITY	STATE	ZIP CODE		
MRCLP GP, LLC	1800 Century Park East, 10th F	Los Angeles	CA	90067		
8b NAME	ADDRESS	CITY	STATE	ZIP CODE		
FOREIGN LIMITED LIABILITY	Y LIMITED PARTNERSHIP	, , , , , , , , , , , , , , , , , , , 				
9. CHECK THIS BOX IF THE FO	DREIGN LIMITED PARTNERSHIP IS A FOREIGN LIMITED	LIABILITY LIMITED PARTNERSHII	D			
	must be signed by at least one general partner of made on an attachment to this document.)	f the foreign limited partnersh	ip. If additional	signature space is		
	VHO EXECUTED THIS INSTRUMENT, WHICH EXECUTION	I IS MY ACT AND DEED.				
	\wedge .	00//1				
September 17, 2008		S CENERAL PARTIES				
DATE		F GENERAL PARTNER P, LLC, By: Asif Satchu,	Manager			
		F, ELC, By. Asii Satchu, F. Plucinski, Attorney-in-	_			
		IT NAME OF GENERAL PARTNER				
LP-5 (REV 01/2008)			APPROVED BY S	SECRETARY OF STATE		

Case: 19-15128, 05/28/2019, ID: 11311207, DktEntry: 14-5, Page 85 of 241

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Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF
DELAWARE, DO HEREBY CERTIFY THAT "MEDIA RIGHTS CAPITAL II, L.P."
IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN
GOOD STANDING AND HAS A LEGAL EXISTENCE NOT HAVING BEEN
CANCELLED OR REVOKED SO FAR AS THE RECORDS OF THIS OFFICE SHOW
AND IS DULY AUTHORIZED TO TRANSACT BUSINESS.

THE FOLLOWING DOCUMENTS HAVE BEEN FILED:

CERTIFICATE OF FORMATION, FILED THE TWENTY-FIFTH DAY OF JULY, A.D. 2006, AT 5:40 O'CLOCK P.M.

CERTIFICATE OF CONVERSION, CHANGING ITS NAME FROM "MEDIA RIGHTS CAPITAL II, LLC" TO "MEDIA RIGHTS CAPITAL II, L.P.", FILED THE TWENTY-THIRD DAY OF OCTOBER, A.D. 2006, AT 5:40 O'CLOCK P.M.

CERTIFICATE OF LIMITED PARTNERSHIP, FILED THE TWENTY-THIRD DAY OF OCTOBER, A.D. 2006, AT 5:40 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID

CERTIFICATES ARE THE ONLY CERTIFICATES ON RECORD OF THE

AFORESAID LIMITED PARTNERSHIP, "MEDIA RIGHTS CAPITAL II, L.P.".

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "MEDIA RIGHTS

CAPITAL II, L.P." WAS FORMED ON THE TWENTY-FIFTH DAY OF JULY,

4195363 8310

080916175

You may verify this certificate onlin at corp.delaware.gov/authver.shtml Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 6823538

DB###. 00 02 00

DATE: 09-02-08

200826100018

Case 3:18-cv-04952-VC Document 40 Filed 11/05/18 Page 79 of 99



A.D. 2006.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.

4195363 8310

080916175

You may verify this certificate online at corp.delaware.gov/authver.shtml

Warriet Smith Windson Secretary of State

AUTHENTICATION: 6823538

DATE: 09-02-08

200826100018

Case 3:18-cv-04952-VC Document 40 Filed 11/05/18 Page 80 of 99

EXHIBIT

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Alex Padilla California Secretary of State



Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Friday, November 2, 2018. Please refer to document <u>Processing Times</u> for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

C2063350 TRIGGER STREET PRODUCTIONS, INC.

Registration Date: 12/16/1997

Jurisdiction: NEW YORK

Entity Type: FOREIGN STOCK

Status: ACTIVE

Agent for Service of Process: FRANK SOZVAGGI

11766 WILSHIRE BLVD #1610 LOS ANGELES CA 90025

Entity Address: 200 PARK AVE S 8TH FL

NEW YORK NY 10003 200 PARK AVE S 8TH FL

Entity Mailing Address: 200 PARK AVE S 8TH FL NEW YORK NY 10003

A Statement of Information is due EVERY year beginning five months before and through the end of December.

Document Type 1	File Date J.	PDF
SI-NO CHANGE	02/14/2018	
SI-COMPLETE	10/14/2003	
REGISTRATION	12/16/1997	

^{*} Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please
 refer to California Corporations Code <u>section 2114</u> for information relating to service upon corporations that
 have surrendered.
- For information on checking or reserving a name, refer to Name Availability.
- If the image is not available online, for information on ordering a copy refer to <u>Information Requests</u>.
- For information on ordering certificates, status reports, certified copies of documents and copies of
 documents not currently available in the Business Search or to request a more extensive search for records,
 refer to <u>Information Requests</u>.
- For help with searching an entity name, refer to Search Tips.
- For descriptions of the various fields and status types, refer to Frequently Asked Questions.

Modify Search New Search Back to Search Results

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EXHIBIT

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Case 3:18-cv-04952-VC Document 40 Filed 11/05/18 Page 83 of 99



State of California Kevin Shelley Secretary of State



STATEMENT OF INFORMATION

(Foreign Corporation)

IMPORTANT — READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

1. CORPORATE NAME: (Please do not alter if name is preprinted.)

C2063350 DUE DATE 12-31-03 00776F TRIGGER STREET PRODUCTIONS, INC. 120 WEST 45TH ST STE 3601 NEW YORK NY 10036 03-401427

In the office of the Secretary of State of the State of California

OCT 1 4 2003

KEVIN SHELLEY, SECRETARY OF STATE

	This Space For Filing Use Only
CALIFORNIA CORPORATE DISCLOSURE ACT (Corporations Code Section 2117)	
2. CHECK HERE IF THE CORPORATION IS PUBLICLY TRADED. IF PUBLICLY TRADED, COMPLETE CORPORATE DISCLOSURE STATEMENT (FORM SI-PTSUPP). SEE ITEM 2 OF INSTRUCTIONS.	THIS STATEMENT OF INFORMATION AND THE
NO CHANGE STATEMENT	
3. IF THERE HAS BEEN NO CHANGE IN ANY OF THE INFORMATION CONTAINED IN THE LAST STATEM SECRETARY OF STATE, INCLUDING ANY INFORMATION CONTAINED IN FORM SI-PTSUPP, CHECK IN IF THERE HAVE BEEN ANY CHANGES TO THE INFORMATION CONTAINED IN EITHER FORM, BOTH FENTIRETY.	THE BOX AND PROCEED TO ITEM 13.
COMPLETE ADDRESSES FOR THE FOLLOWING (Do not abbreviate the name of the city. Items 4 and	15 cannot be PO Boxes.)
4. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE CITY AND STATE	ZIP CODE
200 PARK AUE SOUTH 8+1 FC. NEW YORK, A	70005
5. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA, IF ANY CITY	STATE ZIP CODE
11766 WILSHIRE RLUD #1610 LOS AWGERES	CA 90025
6. MAILING ADDRESS CITY AND STATE	ZIP CODE
200 PROCK AND SOUTH 8th FL. NEWYORK, A	Y 10003
NAMES AND COMPLETE ADDRESSES OF THE FOLLOWING OFFICERS (The corporation must the specific officer may be added; however, please do not after the preprinted title on this statement.)	have these three officers. A comparable title for
7. CHIEF EXECUTIVE OFFICER/ ADDRESS CITY AND STATE	ZIP CODE
KOVINS FOUR OR 200 PARK AVE SO 844 FL. NEW 7 8. SECRETARY/ ADDRESS CITY AND STATE	ORK.NY 10003
8. SECRETARY/ ADDRESS CITY AND STATE	ZIP CODE
KOVIN FONZER 200 PARK AVE SO 8 LFL. NOW!	TORK NY 10.003
9. CHIEF FINANCIAL OFFICER/ ADDRESS CITY AND STATE	ZIP CODE
YOUN FONZER 200 PARK AVESO 8th FL. Non	1700K, NY 10002
LIST THE AGENT FOR SERVICE OF PROCESS (If an individual, the person named as agent must be a	resident of California.)
10. CHECK THE APPROPRIATE PROVISION BELOW AND NAME THE AGENT FOR SERVICE OF PROCESS	
AN INDIVIDUAL RESIDING IN CALIFORNIA. 1 A CORPORATION WHICH HAS FILED A CERTIFICATE PURSUANT TO CALIFORNIA CORPORATIONS CODE	SECTION 1506
	SECTION 1363.
AGENT'S NAME FLANK COZUAGOI	
11. ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL CITY	STATE ZIP CODE
11766 WILSHIEB RZUD #1610 LOS ANGOLOS	CA 90025
12. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION	
PRODUCTION -STRIPESS	
13. THE CORPORATION CERTIFIES THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TR	UE AND CORRECT YES
TYPE OR PRINT NAME OF OFFICER OR AGENT SIGNATURE	AGONS 9/30/03
SI-350 (REV 01/2003)	

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EXHIBIT

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Frank R. Selvaggi, CPA - New York NY Tax Preparer

Litigation Finance

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Frank R. Selvaggi, CPA

Altman Greenfield & Selvaggi LLP 200 Park Avenue South, 8th Floor New York, NY 10003 United States

212-768-4500 (tel:+1-212-768-4500)



Are you Frank R. Selvaggi, CPA, a tax preparer from New York NY?

Case: 19-15128, 05/28/2019, ID: 11311207, DktEntry: 14-5, Page 93 of 241

Case 3:18-cv-04952-VC Document 40 Filed 11/05/18 Page 86 of 99

Add your picture and update your profile now. (/feature-tax-preparer-listing.cfm?cpa_dir_id=542137&referer=0) View your tax professional website created exclusively for you. (http://ptinpro.com/?profile_id=542137)

Request A Free Tax Consultation

(/find-tax-preparer.cfm?cpa_dir_id=542137&city=New%20York&mystate=NY&zip=10003&country=US)

For tax preparation in New York NY, you can count on Frank R. Selvaggi, CPA at Altman Greenfield & Selvaggi LLP. Frank R. Selvaggi, CPA assists taxpayers and small businesses with taxes in New York NY and the surrounding communities. Whether you are an individual or a local business in or around New York NY, Frank R. Selvaggi, CPA has years of valuable experience as an IRS registered tax preparer. Contact Frank R. Selvaggi, CPA, tax filing specialist in New York NY, for help with your taxes.

Looking to find the best rated tax preparer in New York NY?

Frank R. Selvaggi, CPA is a local tax preparer at Altman Greenfield & Selvaggi LLP located in New York NY. Frank R. Selvaggi, CPA and other tax preparers located in New York NY will help you with tax preparation, tax planning, bookkeeping, estate and trust taxes, and so much more.

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(https://www.kabbage.com/landing-page/line-of-credit/?refid=725)

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(/find-tax-preparer.cfm?city=New%20York&mystate=NY&zip=10003&country=US)

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Press Releases (/press-releases.cfm)
Affiliate Program (/affiliate-program cfm)

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EXHIBIT

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WHY IT MATTERS (HTTP://WWW.FREEDOMTOMARRY.ORG/PAGES/WHY-IT-MATTERS)

LESSONS LEARNED

Frank Selvaggi

WINNING IN THE STATES (HTTP://WWW.FREEDOMTOMARRY.ORG/PAGES/WINNING-IN-THE-STATES)



Frank Selvaggi is a CPA and Founding Partner at Altman, Greenfield & Selvaggi, LLP, the New York City and Los Angeles accounting firm he co-founded in 1986, which specializes in business management for the entertainment industry. Selvaggi and his firm work with some

of the top talent within the entertainment industry.

He served for six years on the Board of the Empire State Pride Agenda (ESPA), New York's leading statewide LGBT civil rights and advocacy organization. He held the position of

Co-Chair of ESPA's Foundation Board for three years and that of Chair of the Agenda Inc. Board for two.

In addition, he serves on the Board of Directors of the Gay & Lesbian Victory Fund, the nation's largest LGBT political action committee and the only national organization dedicated to increasing the number of openly LGBT elected officials at

all levels of governinent. He also serves as Board President of the American Associates of the Old Vic Theatre, an iconic theater company in London with roots dating back to 1818 and currently under the artistic direction of actor Kevin Spacey.

Mr. Selvaggi is a resident of both New York City and North Salem, N.Y. He married his long time partner, Bill Shea in Northampton, MA in May 2004. He earned a Bachelor of Science degree in Accounting with highest honors from Rochester Institute of Technology in Rochester, NY in 1981.

VIEW ALL STAFF (/THE-TEAM)

(https://www.facebook.com/freedomtomarry.org) (https://twitter.com/freedomtomarry)

Freedom to Marry was the campaign to win marriage nationwide. With the Supreme Court victory on June 26, 2015, the work of this strategic campaign - though not the larger movement - was achieved, and Freedom to Marry wound down its operations, closing in early 2016. For inquiries, please email legacy@freedomtomarry.org (mailto:legacy@freedomtomarry.org).

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EXHIBIT

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11/4/2018

Case 3:18-Our Despotantifies | Bus Despotantifies |

Alex Padilla California Secretary of State



Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Friday, November 2, 2018. Please refer to document <u>Processing Times</u> for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

200210810102 GDS, LLC

Registration Date:04/16/2002Jurisdiction:CALIFORNIAEntity Type:DOMESTICStatus:ACTIVEAgent for Service of Process:GARY KRESS

2401 MAIN STREET SANTA MONICA CA 90405 2401 MAIN STREET

Entity Address: 2401 MAIN STREET

SANTA MONICA CA 90405

Entity Mailing Address:

LLC Management Managers

A Statement of Information is due EVERY EVEN-NUMBERED year beginning five months before and through the end of April.

Document Type 11	File Date	PDF
SI-NO CHANGE	03/07/2018	
SI-COMPLETE	07/13/2006	
REGISTRATION	04/16/2002	

^{*} Indicates the information is not contained in the California Secretary of State's database.

Note: If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- For information on checking or reserving a name, refer to Name Availability.
- If the image is not available online, for information on ordering a copy refer to <u>Information Requests</u>.
- For information on ordering certificates, status reports, certified copies of documents and copies of documents not currently available in the Business Search or to request a more extensive search for records, refer to Information Requests.
- For help with searching an entity name, refer to Search Tips.
- For descriptions of the various fields and status types, refer to Frequently Asked Questions.

Modify Search New Search Back to Search Results

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EXHIBIT



Case 3:18-cv State of California iled 11/05/18

Secretary of State



STATEMENT OF INFORMATION (Limited Liability Company)

Filing Fee \$20.00. If amendment, see instructions.

IMPORTANT — READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

1. LIMITED LIABILITY COMPANY NAME (Please do not alter if name is preprinted.)

FILED in the office of the Secretary of State of the State of California

Page 93 of 99

JUL 1 3 2006

200210810102 GDS, LLC 2401 MAIN STREET SANTA MONICA CA 90405

		This Space For Filing Use Only
DUE DATE: 04/30/2006		
FILE NUMBER AND STATE OR PLACE OF ORGANIZATION		
2. SECRETARY OF STATE FILE NUMBER	3. STATE OR PLACE OF ORGANIZ	ZATION
200210810102	CA	
NO CHANGE STATEMENT		
If there has been no change in any of the information contained the box and proceed to Item 13.		
If there have been any changes to the information contained in been previously filed, this form must be completed in its entirety	the last Statement of Information	n filed, or no Statement of Information has
COMPLETE ADDRESSES FOR THE FOLLOWING (Do not abbrevi	ate the name of the city. Items 4 and	d 5 cannot be P.O. Boxes.)
4. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE	CITY AND STATE	ZIP CODE
2401 Main Street	Santa Monio	ca, CA 90405
5. CALIFORNIA OFFICE WHERE RECORDS ARE MAINTAINED (DOMESTIC ONL Same as Item 4	Y) CITY	STATE ZIP CODE CA
NAME AND COMPLETE ADDRESS OF THE CHIEF EXECUTIVE	OFFICER, IF ANY	
6. NAME ADDRESS	CITY AND STATE	ZIP CODE
NAME AND COMPLETE ADDRESS OF ANY MANAGER OR M PROVIDE THE NAME AND ADDRESS OF EACH MEMBER (Attack		VE BEEN APPOINTED OR ELECTED,
7. NAME ADDRESS Same as Item 4	CITY AND STATE	ZIP CODE
8. NAME Benjamin Affleck Same as Item 4	CITY AND STATE	ZIP CODE
9. NAME ADDRESS	CITY AND STATE	ZIP CODE
AGENT FOR SERVICE OF PROCESS (If the agent is an individual, the address. If the agent is a corporation, the agent must have on file with the 1505 and Item 11 must be left blank.)	e agent must reside in California and California Secretary of State a certi	d Item 11 must be completed with a California ificate pursuant to Corporations Code section
10. NAME OF AGENT FOR SERVICE OF PROCESS Gary Kress		
11. ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INI 2401 Main Street	Santa Monica	CA 90405
TYPE OF BUSINESS		
12. DESCRIBE THE TYPE OF BUSINESS OF THE LIMITED LIABILITY COMPANY ENTER LA TIME OF THE LIMITED LIABILITY COMPANY		
13. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT		02/24/06
TYPE OR PRINT NAME OF PERSON COMPLETING THE FORM	SIGN TURE AG	rent 03/24/06 TITLE DATE
LLC-12R (REV 05/2005)	<u>ノ</u> '	APPROVED BY SECRETARY OF STATE

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EXHIBIT T T

11/4/2018

Case 3:18-@us@es95earch/@us@esstEntitiesnBus@esstPirea@eris1/Catifolina Sepretere 99

Alex Padilla California Secretary of State



Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Friday, November 2, 2018. Please refer to document <u>Processing Times</u> for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

199919510102 MAD POST PRODUCTIONS, LLC

Registration Date:07/13/1999Jurisdiction:CALIFORNIAEntity Type:DOMESTICStatus:ACTIVEAgent for Service of Process:GARY KRESS

2401 MAIN STREET
SANTA MONICA CA 90405

Entity Address: 2401 MAIN STREET

SANTA MONICA CA 90405

Entity Mailing Address:

LLC Management Managers

A Statement of Information is due EVERY ODD-NUMBERED year beginning five months before and through the end of July.

Document Type 11	File Date	PDF
SI-NO CHANGE	07/03/2017	
SI-COMPLETE	12/09/2005	
REGISTRATION	07/13/1999	

^{*} Indicates the information is not contained in the California Secretary of State's database.

Note: If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- For information on checking or reserving a name, refer to Name Availability.
- If the image is not available online, for information on ordering a copy refer to <u>Information Requests</u>.
- For information on ordering certificates, status reports, certified copies of documents and copies of documents not currently available in the Business Search or to request a more extensive search for records, refer to Information Requests.
- For help with searching an entity name, refer to Search Tips.
- For descriptions of the various fields and status types, refer to Frequently Asked Questions.

Modify Search New Search Back to Search Results

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State of California Secretary of State

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STATEMENT OF INFORMATION (Limited Liability Company)

Filing Fee \$20.00. If amendment, see instructions.

IMPORTANT — READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

1. LIMITED LIABILITY COMPANY NAME (Please do not alter if name is preprinted.)

MAD POST PRODUCTIONS, LLC

FILED
in the office of the Secretary of State
of the State of California

DEC 0 9 2005

		ec This Space Fo	or Filing Use Only
DUE DATE:			
FILE NUMBER AND STATE OR PLACE OF ORGANIZATION			
2. SECRETARY OF STATE FILE NUMBER	3. STATE OR PLACE OF ORGANIZ	ZATION	
199919510102	Californía		
NO CHANGE STATEMENT			
If there has been no change in any of the information contained the box and proceed to Item 13.			
If there have been any changes to the information contained in been previously filed, this form must be completed in its entirety.			
COMPLETE ADDRESSES FOR THE FOLLOWING (Do not abbreviate			
STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE 2401 Main Street	CITY AND STATE Santa Monica	_	ZIP CODE 90405
5. CALIFORNIA OFFICE WHERE RECORDS ARE MAINTAINED (DOMESTIC ONLY)	CITY	STATE	ZIP CODE
2401 Main Street	Santa Monica,	CA	90405
NAME AND COMPLETE ADDRESS OF THE CHIEF EXECUTIVE O 6. NAME ADDRESS	CITY AND STATE	·····	ZIP CODE
6. NAME ADDITES			ZIP CODE
NAME AND COMPLETE ADDRESS OF ANY MANAGER OR MA PROVIDE THE NAME AND ADDRESS OF EACH MEMBER (Attach	· - · · · · · · · · · · · · · · · ·	VE BEEN APPOIN	TED OR ELECTED,
7 NAME ADDRESS	CITY AND STATE		ZIP CODE
Benjamin Affleck 2401 Main Street	Santa Mon	`	90405
8. NAME ADDRESS Matthew Damon 2401 Main Street	CITY AND STATE Santa Mon		ZIP CODE 90405
9. NAME ADDRESS	CITY AND STATE		ZIP CODE
AGENT FOR SERVICE OF PROCESS (If the agent is an individual, the address. If the agent is a corporation, the agent must have on file with the C 1505 and Item 11 must be left blank.) 10. NAME OF AGENT FOR SERVICE OF PROCESS			
Gary Kress		07475	
11. ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIV 2401 Main Street	VIDUAL CITY Santa Monica,	STATE CA	ZIP CODE 90405
TYPE OF BUSINESS			
12 DESCRIBE THE TYPE OF BUSINESS OF THE LIMITED LIABILITY COMPANY entertainment			
13. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT			
Benjamin Affleck	Mai	nager	12-05-05
TYPE OR PRINT NAME OF PERSON COMPLETING THE FORM	SIGNATURE	TITLE	DATE
LLC-12R (REV 05/2005)		APPROVED (BY SECRETARY OF STATE

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EXHIBIT



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Secretary of State Statement of Information Q	<u> </u>	LC-12			En est			
(Limited Liability Company)		FILED Secretary of State State of California						
IMPORTANT — Read instructions before completing this form.			NOV 2 0 2017					
Filing Fee – \$20.00								
Copy Fees – First page \$1.00; each attachment page \$0. Certification Fee - \$5.00 plus copy fees	50;		Т	his Space Fo	r Office Us	se O	nlv	
1. Limited Liability Company Name (Enter the exact name of the L	LC. If you re	egistered in Califor		<u> </u>				
Miramax, LLC		_						
2. 12-Digit Secretary of State File Number 201130410151	3. State,	Foreign Country or Place of Organization (only if formed outside of California) Devace:						
4. Business Addresses		- 1			1	. 1	-	
a. Street Address of Principal Office - Do not list a P.O. Box 2450 Colorado Ave, Suite 100 East Tower		Los Angeles	•			State Zip Code CA 90404		
b. Mailing Address of LLC, if different than item 4a		City (no abbreviations)				ate		
c. Street Address of California Office, if Item 4a is not in California - Do not list a	P.O. Box	City (no abbrevial	City (no abbreviations)		l l	ate	Zip Code	
5. Manager(s) or Member(s) If no managers have been appoin must be listed. If the manager/mer an entity, complete Items 5b and 5 has additional managers/members.	nber is an in ic (leave Iten	idividual, complete n 5a blank). Note:	Items 5a and The LLC can	5c (leave Item 5b not serve as its ov	blank). If the vn manager o	mar	nager/m	ember is
a. First Name, if an individual - Do not complete Item 5b		Middle Name		Last Name				Suffix
b. Entity Name - Do not complete Item 5a Miramax Guaranty Services, LLC		J		<u> </u>				
c. Address	City (no abbreviat			_	State Zip Code			
2450 Colorado Avenue, Suite 100 East Tower	- \	Los Angeles	5		(Α	90404	
 Service of Process (Must provide either Individual OR Corporation INDIVIDUAL – Complete Items 6a and 6b only. Must include agent's 	•	nd California street	address					
a. California Agent's First Name (if agent is not a corporation)	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Middle Name		Last Name				Suffix
b. Street Address (if agent is not a corporation) - Do пot enter a P.O. Box		City (no abbreviat	ions)			ate A	Zip Co	de
CORPORATION - Complete Item 6c only. Only include the name of	the registere	ed agent Corporation	on.					
c. California Registered Corporate Agent's Name (if agent is a corporation) – Do Corporation Services Company Which Will Do Busin	•		SC-Lawyer	rs Incorporati	ing Servic	 = (- 15	92
7. Type of Business								
a. Describe the type of business or services of the Limited Liability Company Motion Picture Exploitation								
8. Chief Executive Officer, if elected or appointed								
a. First Name		Middle Name		Last Name				Suffix
b. Address		City (no abbreviat	ions)	-	St	ate	Zip Co	de
9. The Information contained herein, including any attachme	nts, is tru	e and correct.			۸ ۸			
9/26/17 Adrian Lopez Date Type or Print Name of Person Completing the	Form	<u>\$</u> VP,	Business and	d Legal Affairs	Adr	Q		
Date Type or Print Name or Person Completing the leturn Address (Optional) (For communication from the Secretary of erson or company and the mailing address. This information will become pu	State related					t ente	er the na	me of a
erson or company and the mailing address. This information will become pullame:	uuic wnen tii	eu. SEE INSTRUI	THUMS BEFO	INC COMPLETING	3.)			
ompany: Miramax, LLC		ı						
ddress: 2450 Colorado Avenue, Suite 100 Ea	st Tower							
City/State/Zip: L Santa Monica, CA 90404		I						
my Succession Leaves and Succession Successi		_						
LLC-12 (REV 01/2017)					7 California Se			

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing "REQUEST FOR JUDICIAL NOTICE" with the Clerk of the Court for the United States District Court, Northern District Of California, San Francisco Division, by using the District's Pacer system on November 5, 2018.

Dated: November 5, 2018. Signed: /s/ Steve Wilson Briggs

STEVE WILSON BRIGGS Plaintiff, In Propria Persona

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1	Steve Wilson Briggs								
2	4322 Chico Ave.,								
3	Santa Rosa, CA 95407 510 200 3763								
4	snc.steve@gmail.com								
5	PLAINTIFF In Propria Persona								
6									
7									
8	UNITED STATES DISTRICT COURT								
9	NORTHERN DISTRICT OF CALIFORNIA								
10	STEVE WILSON BRIGGS,	Civ No: 18-ev-04952-VC							
11	Plaintiff,	MOTION FOR ALTERNATIVE							
12	VS	SERVICE ON DEFENDANT WILLIAM (BILL) BLOCK;							
13	KEVIN SPACEY et al,	AND CONDITIONAL REQUEST TO							
14	Defendants.	EXTEND SERVICE DEADLINES Date: December 13, 2018							
15		Courtroom: 4							
16		Time: 10:00 a.m. Judge: Hon. Vince Chhabria							
17	TO ALL DADENES AND THEIR ATTA	CODNEY OF BECORD							
18	TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:								
19	PLEASE TAKE NOTICE that on December 6, 2018, at 10:00 a.m., or as soon thereafter								
20	as the matter can be heard, in Courtroom No. 4 of the United States District Court, Northern								
21	District Of California, at 450 Golden Gate Avenue, San Francisco, CA 94102, before the								
21	Honorable Vincent Chhabria, Plaintiff Steve Wilson Briggs will, and hereby does, move this Court								
22	for an Order granting the Plaintiff permission for Alternative Service On Defendant William (Bill)								
23	Block, and further granting the Plaintiff a conditional extension of service of process of Summons								
24	and Complaint deadline for any party claiming to be partially, or improperly, served.								
25	This motion is made pursuant to California Code of Civil Procedure § 415.50(a), and								
26	to Federal Rules of Civil Procedure, Rule 4(e)(1)."								
27	This motion is based on the notice of motion, the following memorandum of points and								
28	authorities, and the Declaration of Steve Wilson Briggs.								

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MEMORANDUM OF POINTS AND AUTHORITIES

California Code of Civil Procedure § 415.50(a) states: "A summons may be served by publication if upon affidavit it appears to the satisfaction of the court in which the action is pending that the party to be served cannot with reasonable diligence be served in another manner specified in this article and that either: (1) A cause of action exists against the party upon whom service is to be made or he or she is a necessary or proper party to the action."

Federal Rules of Civil Procedure, Rule 4(e)(1), which states: "A summons may be served by publication if upon affidavit it appears to the satisfaction of the court in which the action is pending that the party to be served cannot with reasonable diligence be served in another manner specified in this article and that either: (1) A cause of action exists against the party upon whom service is to be made or he or she is a necessary or proper party to the action..."

Re: William (Bill) Block

The Plaintiff's process server, Nexus Assoon, attempted to serve Defendant Block (CEO of Miramax, LLC) at the address on Miramax's business entity Statement of Information, on file with the California Secretary of State. However when Mr Assoon entered the building, he was informed that Miramax moved out of that building about a year earlier.

Without a verifiable address, and without infinite resources, the Plaintiff was forced to give up on serving Bill Block.

However, the Plaintiff believes there is good cause for the Court to move to serve Defendant Block by publication. Plaintiff asserts that he has presented persuasive evidence, that Defendant Bill Block and the other Defendants have knowingly engaged in the ongoing civil infractions detailed in the Plaintiff's Complaint.

Further, the Plaintiff contends that it is in his interest (as a direct victim of the Defendants' commission of fraud, breach, conspiracy, negligence, spoliation, infringing exportation, and wilful suppression of evidence), and the interest of the public at large (who stand to be indiscriminately injured by the Defendants reckless pursuit of personal enrichment), and the interest of our nation's undiscovered intellectual property generators (who these Defendants will inevitably target again),

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and in the interest of justice itself, for the Court grant the Plaintiff permission for service by publication.

The Plaintiff asserts that Defendant William "Bill" Block is a central figure in this lawsuit. As the man who helped finance and produce Elysium and District 9, he has profited greatly from his disregard of standard business ethics, and from his close relationship to Defendant Ari Emanuel.

Additionally, it would be a particular injustice to allow Defendant Block to be dismissed from this lawsuit due to **this** particular service of process failure, because the only reason that the Plaintiff was unable to serve Defendant Block was because he negligently failed to comply with California business law (as the CEO of Miramax) as he failed update Miramax's Statements of Information, on file with the California Secretary of State. Thus, the Plaintiff was (and still is) unable to determine where Miramax's true Principal California office is. Had that information been updated and available, as required by California law, Defendant Block would have been timely served, with the other California Defendants.

The Plaintiff believes that all cost of such service by publication should be absorbed by the Defendants.

Conditional Deadline Extension For The Other Defendants

The Plaintiff believes that he has properly served all 13 other Defendants, by serving Summons and Complaint on a competent person at an address that the Defendants have officially claimed as **their personal addresses** on their California Secretary of State business entity Statement of Information, then mailing the Defendants summons and Complaints to those same claimed addresses; thus, treating the registered agent as the a competent person, or person apparently in charge of the Defendants' office or usual place of business, then mailing a second copy of the Summons and Complaint to this same address, in compliance with CCP 415.20 (a) and (b). However, should any Defendant allege at the Initial Case Management Conference that they were improperly served, that could only be because that Defendant failed to maintain and update their California Secretary of State business Statements of Information, in violation of California law. Thus, in anticipation of such a strategy by any of the Defendants, the Plaintiff makes the unusual request of the Court for a conditional extension of service deadlines for any Defendant

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1	claiming to be improperly served who has improperly maintained their business's statements of
2	information.
3	
4	Dated: November 5, 2018. Signed: /s/ Steve Wilson Briggs
5	STEVE WILSON BRIGGS Plaintiff, In Propria Persona
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1 2 3 4 5	Steve Wilson Briggs 4322 Chico Ave., Santa Rosa, CA 95407 510 200 3763 snc.steve@gmail.com PLAINTIFF In Propria Persona		
6			
7			
8		DISTRICT COURT	
9		ICT OF CALIFORNIA	
10	STEVE WILSON BRIGGS,	Civ No: 18-cv-04952-VC	
11	Plaintiff,	[PROPOSED] ORDER	
12	VS	GRANTING PLAINTIFF'S MOTION	
13	KEVIN SPACEY et al,	FOR ALTERNATIVE SERVICE ON DEFENDANT WILLIAM (BILL)	
14	Defendants.	BLOCK; AND CONDITIONAL REQUEST TO EXTEND SERVICE	
16		DEADLINES	
17		Date: December 13, 2018	
18		Courtroom: 4	
19		Time: 10:00 a.m. Judge: Hon. Vincent Chhabria	
20			
21			
21	Having considered the Plaintiff's "Mot	ion For Alternative Service On Defendant William	
22	-	end Service Deadlines," and finding the Plaintiff's	
23	arguments to be sound, and finding that Defend	ant William (Bill) Block, and any other Defendant	
24	herein who failed to update his/her company's Statement of Information on file with the California		
25	Secretary of State, rendered the plaintiff incapa	ble of timely serving the Summons and Complaint	
26	upon the Defendant(s). Therefore, the Court rule	es as follows.	
27	IT IS HEREBY ORDERED:		
28	1. The Plaintiff Motion to serve Defendant	Block by publication is granted .	

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1	2. Plaint	tiff conditional request to extend service deadline, if necessary and if due to the
2	Defer	ndants failure to maintain their business Statements of Information on file with the
3	Secre	etary of State, is also granted .
4		
5	Dated:	Signed:
6		The Honorable Vince Chhabria
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2 PROPOSED ORDER Case: 19-15128, 05/28/2019, ID: 11311207, DktEntry: 14-5, Page 114 of 241

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing "MOTION FOR ALTERNATIVE SERVICE ON DEFENDANT WILLIAM (BILL) BLOCK; AND CONDITIONAL REQUEST TO EXTEND SERVICE DEADLINES", and the "PROPOSED ORDER" with the Clerk of the Court for the United States District Court, Northern District Of California, San Francisco Division, by using the District's Pacer system on November 5, 2018.

Dated: November 5, 2018. Signed: <u>/s/ Steve Wilson Briggs</u>

STEVE WILSON BRIGGS Plaintiff, In Propria Persona

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1	Steve Wilson Briggs			
2	4322 Chico Ave.,			
3	Santa Rosa, CA 95407 510 200 3763			
4	snc.steve@gmail.com			
	PLAINTIFF In Propria Persona			
5				
7				
8	UNITED STATES	DISTRICT COURT		
9	NORTHERN DISTRI	CT OF CALIFORNIA		
10	SAN FRANCIS	SCO DIVISION		
11	STEVE WILSON BRIGGS,	Civ No: 18-cv-04952-VC		
12	Plaintiff,			
13	vs	STATUS REPORT REGARDING PLAINTIFF'S SERVICE		
14	KEVIN SPACEY et al,	OF PROCESS OF SUMMONS AND		
15	Defendants.	COMPLAINT ON ALL DEFENDANTS		
16		Date: November 5, 2018 Judge: Hon. Vince Chhabria		
17		Judge. Troil vince children		
18	STATUS REPORT REGARDING PI	AINTIFF'S SERVICE OF PROCESS		
19	OF SUMMONS AND COMPL	AINT ON ALL DEFENDANTS		
20	Plaintiff Steve Wilson Briggs hereby sub	omits this status report to the Court. This report is		
21	intended to inform the Court of the complete cur	rent status of service of process on each of the 14		
21	defendants, and to apprise the Court that, among	other things:		
22	A. Several of the Defendants have fraudul	ent principal business addresses on file with the		
23	California Secretary of State's office is	n the Defendants' California corporate business		
24	entity statement of information (S.I.).			
25	B. Several of the Defendants have failed	I to update and maintain their business entity		
26	statements of information (for 12 to 15	years), although the California Secretary of State		
27	require annual or biennial updates. Thus, these Defendants have no valid Principal business			
28	address on file with the California Secreta	ary of State, as their actual addresses have		

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changed, but it is not reflected in their S.I.

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C. One or more of the employees of one or more of the Defendants (MRC and Ari Emanuel) attempted to intimidate the Plaintiff's process server.

To eliminate deniability for the Defendants, the Plaintiff decided to serve Summons on a person in charge, at an address that the Defendants have <u>officially</u> claimed as <u>their personal</u> <u>addresses</u> on their California Secretary of State business entity Statement of Information, then mailing the Defendants summons and Complaints to those same claimed addresses; thus treating the registered agent as the a person apparently in charge of the Defendants' office or usual place of business, then mailing a second copy of the Summons and Complaint to this same address, in compliance with CCP 415.20 (a) and (b).

Several service-of-process proof-of -service declarations from the Plaintiff's southern California based process servers, which will support the facts of this Status Report, are not currently on file, but will be submitted the week of November 5, 2018.

The status and details of service of Summons and Complaint on each Defendant follows.

15	Defendant	Service of Process Details	STATUS
16	Bereitanie	Service of Frocess 2 curis	
17	Kevin Spacey	In compliance with CCP 415.40 (which allows service	Served
18		on an out-of-state defendant via first class US mail, requiring a return receipt), the Plaintiff served this out-of-state	
19		defendant via process server Morgan Marchbanks, who via	
20		first class certified USPS mail, with return receipt requested, sent Summons and Complaint to both:	
21		a. A business address (where this Defendant was	
21		designated as an officer) on file with the CA Sec of State in the company's S.I., % the designated agent	
22		for service of process. (09/27/2018)	
23		b. To personal out-of state address on file with the California Secretary of State. (09/17/2018)	
24		 Defendant's agent signed and returned the receipt. See additional details of California address fraud, 	
25		under the following heading.	
26	Ari Emanuel	In compliance with CCP 415.20 (a) and (b), on October	Served
27		19, 2018, Plaintiff's process server, Nexus Asson, served	
28		this Defendant by personally delivering Summons and Complaint to his usual office of business, during usual office	

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1		hours, and leaving said documents with a person who is	
2		apparently in charge thereof. Then, on November 1, 2018, Plaintiff's process server Cecile Lusby completed service of	
3		process by mailing summons and complaint by first-class	
4		mail, postage prepaid to the Defendant at the place where a copy of the summons and complaint were left.	
5		See additional details, regarding intimidation of	
6		process server, under the following heading.	
7	Matt Damon	In compliance with CCP 415.20 (a) and (b), on October 30, 2018, Plaintiff's process server Melvin Jackson served	Served
8		this Defendant by personally delivering Summons and	
9		Complaint to his usual office of business, during usual office hours, and leaving said documents with a person who is	
10		apparently in charge thereof (Gary Kress). Then on	
11		November 1, 2018, Plaintiff's process server Cecile Lusby then completed service of process by mailing summons and	
12		complaint by first-class mail, postage prepaid to the Defendant at the place where a copy of the summons and	
13		complaint were left.	
14 15		 See details of violations of the intent of CCP 452, under the following heading. 	
16	Dan Aglanta		C1
17	Ben Affleck	In compliance with CCP 415.20 (a) and (b), on October 30, 2018, Plaintiff's process server Melvin Jackson served	Served
18		this Defendant by personally delivering Summons and Complaint to his usual office of business, during usual office	
19		hours, and leaving said documents with a person who is	
20		apparently in charge thereof (Gary Kress). Then on November 1, 2018, Plaintiff's process server Cecile Lusby	
21		then completed service of process by mailing summons and	
21		complaint by first-class mail, postage prepaid to the Defendant at the place where a copy of the summons and	
22		complaint were left.	
23		 See details of violations of the intent of CCP 452, under the following heading. 	
24	NBCUniversal	On October 19, 2018, the Plaintiff's process server	Served
25		Nexus Asson served this Defendant by personally delivering	~~~
26		Summons and Complaint to the Defendant's designated agent for service of process (CT Corporation System).	
27	Sony Pictures Ent	On October 19, 2018, the Plaintiff's process server	Served
28	Sony i Retures Ealt	Nexus Asson served this Defendant by personally delivering	Sciveu
	I .	1	<u> </u>

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1		Summons and Complaint to the Defendant's Principal	
2		Executive Office and delivering the documents to one of the	
3		Defendant's attorneys (Deborah Ahn).	
4	Trigger Street Prod	In compliance with CCP 415.40 (which allows	Served
5		service on an out-of-state defendant via first class US mail, requiring a return receipt), the Plaintiff served this	
		out-of-state defendant via process server Morgan	
6		Marchbanks, who via first class certified USPS mail, with	
7		return receipt requested, sent Summons and Complaint to both:	
8		a. The out-of-state Principal Executive Office, on file	
9		with the CA Sec of State in the company's S.I.,	
10		% the designated agent for service of process. (09/27/2018)	
11		b. The out-of-state address on file in "Box 1" of the	
12		 company's S.I. (09/17/2018) Defendant's agent signed and returned the receipt. 	
13		See additional details of California address fraud,	
14		under the following heading.	
15	Neill Blomkamp	In compliance with CCP 415 20 (a) and (b), on October	Served
		19, 2018, Plaintiff's process server Nexus Asson served this	
16		Defendant by personally delivering Summons and Complaint to his usual office of business, during usual office hours, and	
17		leaving said documents with a person who is apparently in	
18		charge thereof. Then on November 1, 2018, Plaintiff's	
19		process server Cecile Lusby then completed service of process by mailing summons and complaint by first-class	
20		mail, postage prepaid to the Defendant at the place where a	
21		copy of the summons and complaint were left.	
21	Asif Satchu	In compliance with CCP 415.20 (a) and (b), on October	Served
22		26. 2018, Plaintiff's process server Nexus Asson served this Defendant by personally delivering Summons and Complaint	
23		to his usual office of business, during usual office hours, and	
24		leaving said documents with a person who is apparently in	
		charge thereof. Then on November 1, 2018, Nexus Asson completed service of process by mailing summons and	
25		complaint by first-class mail, postage prepaid to the	
26		Defendant at the place where a copy of the summons and	
27		complaint were left.See additional details regarding falsified and	
28		fraudulent address, and intimidation of process	

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1		server, under following heading.	
2 3 4 5 6 7 8 9 10	Mordecai Wiczyk	In compliance with CCP 415.20 (a) and (b), on October 26, 2018, Plaintiff's process server Nexus Asson served this Defendant by personally delivering Summons and Complaint to his usual office of business, during usual office hours, and leaving said documents with a person who is apparently in charge thereof. Then on November 1, 2018, Nexus Asson completed service of process by mailing summons and complaint by first-class mail, postage prepaid to the Defendant at the place where a copy of the summons and complaint were left. • See additional details regarding falsified and fraudulent address, and intimidation of process server, under the following headings.	Served
11 12 13 14 15 16 17 18 19	Bill Block	The Plaintiff's process server, Nexus Asoon, attempted to serve Defendant Block at the current and active address of its Principal Executive Office, designated on its S.I., on file with the California Secretary of State's office. Mr. Block serves as the CEO of Miramax. However, Mr. Assoon was informed by an agent at that address that Miramax has not been at that address for about a year. • This service was abandoned because the Plaintiff could not find another verifiable address for the Defendant. Thus, Plaintiff intends to request permission from the Court for an alternative means of service, and an extension of service deadline for this defendant.	Not Yet Served
20 21 21 22 23 24 25 26 27 28	Dana Brunetti	In compliance with CCP 415.40 (which allows service on an out-of-state defendant via first class US mail, requiring a return receipt), the Plaintiff served this out-of-state defendant via process server Morgan Marchbanks, who via first class certified USPS mail, with return receipt requested, sent Summons and Complaint to both: c. A business address (where this Defendant was designated as an officer) on file with the CA Sec of State in the company's S.I., % the designated agent for service of process. (09/27/2018) d. To personal out-of state address on file with the California Secretary of State. (09/19/2018) • Defendant's agent signed and returned the receipt. • See additional details of California address fraud, under the following headings.	Served

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1 2	Sound Point Cap	PLAINTIFF HAS VOLUNTARILY DISMISSED THIS DEFENDANT, WITHOUT PREJUDICE.	Served and
3		Defendant was served in compliance with 415.40.	dismissed
4 5	MRC	In compliance with CCP 415.20(a) and (b), on October 26, 2018, Plaintiff's process server Nexus Asson served this Defendant (MRC II Distribution Company, LP, the identity the Defendant declared in <i>Briggs v Blomkamp</i> and	Served
6		Briggs v Universal 17-cv-06552-VC), by personally	
7		delivering Summons and Complaint to his usual office of	
8		business, during usual office hours, and leaving said documents with a person who is apparently in charge	
9		thereof. Then on November 1, 2018, Nexus Asson completed service of process by mailing summons and complaint by first-class mail, postage prepaid to the	
11		Defendant at the place where a copy of the summons and	
12		 complaint were left. It should be noted that MRC II Distribution 	
13		Company's address is fictitious and fraudulent, see	
14		details below.See additional details, regarding falsified and	
15		fraudulent address, and intimidation of process	
16		server, under the following headings.	
17			
18	Su	mmary Of Current Process Of Service Status Report:	
19	• All D	efendants—except Bill Block—Have Been Successfully Served	
20			
21	AI	DDITIONAL SERVICE ISSUES AND OBSTACLES	
21	Plaintiff sent	Notice of Lawsuit and Request to Waive Service to all ten (10) California
22	based Defendants. Al	ll 10 Defendants ignored the waiver request, and did not respond	1.
23	Therefore the Plaintiff had to do exhaustive research to determine an unquestionably valid		
24	way to serve each Defendant-because each of the natural person Defendants have many		
25	addresses on record (perhaps because the Defendants have changed residences frequently, or they		
26	own multiple residences, sometimes in multiple states). Another obstacle to serving the Defendants		
27	is their great celebrity and considerable wealth; which meant that at any moment each Defendant		
28	might be anywhere in the world, in some remote, secured location. Therefore the Plaintiff		

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1 determined it was wisest to scour the California and national business records of each Defendant, 2 and serve them at one of the corporations that they own or where they act as an executive officer. 3 From that research the Plaintiff discovered many facts about the Defendants' businesses—facts 4 that make it nigh impossible for any citizen of the US or California to properly serve these 5 Defendants. The bullet point facts that follow are based on that research, and based on the findings of the Plaintiff's server of process. 6 7 Defendant MRC II Distribution Company, LP uses a false and fraudulent address, claiming an address in the WME* building next door—in suite number that does not even exist 8 9 (9601 Wilshire Blvd, Suite 610, Beverly Hills, CA 90212). (*Defendant Ari Emanuel is 10 co-CEO of WME.) 11 • There is no site #610 in the 9601 Wilshire building. 12 The 9601 Wilshire Building is not in the 90212 area code. 13 While serving this fictitious address, the Plaintiff's process server, Nexus Assoon, reported 14 that he felt that the mailroom supervisor attempted to intimidate him. (The details are 15 included in Mr. Assoon's soon to be filed service of process certificate.) 16 MRC II Distribution Company, LP's CA Sec State Bus Ent S.I. have NOT been updated 17 for almost 12 years. (CA requires updates for foreign entities every year.) 18 Media Rights Capital primary building (9665 Wilshire Blvd, 2nd Floor, Beverly Hills, CA 19 90212 —which it claims as an address on it website, and which some of its subsidiaries 20 claim as their Principal address) was blocked off for construction when the Plaintiff's 21 server, Nexus Assoon, arrived (although Mr. Assoon observed business workers enter 21 and exit). A member of the building's security personnel informed Mr. Assoon that MRC 22 had moved for the duration of construction to 1800 Century Park East, Los Angeles. 23 Media Rights Capital II, LP's California Secretary of State Business Entity statement of 24 information (CA Sec State Bus Ent S.I.) claims 1800 Century Park East, Los Angeles, 25 10th Floor, is its Principal Address, and claims this address is also the personal address of 26 its agent for service of process. However, on the 10th floor of 1800 Century Park, no 27 MRC company was in the directory or on the door of any office. Plaintiff's server, Mr. 28 Assoon, spoke to an office manager who said MRC had moved back to 9665 Wilshire.,

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1	
1	some time ago Neither the office manager or another man Mr. Asson encountered had
2	never heard of Scott Tenley.
3	Plaintiff's process server, Nexus Asson, attempted to serve Trigger Street Productions as
4	the Principal Business Office in California, listed in its CA Sec State Bus Ent S.I.; which is
5	11766 Wilshire Boulevard, #1610, Los Angeles CA 90025. However, the Help Desk
6	assistant at this address informed Mr Asson that room #1610 has been vacant and
7	not leased or rented for 4-5 years, and the company Altman, Greenfield and Selvagg
8	(which Frank Selvaggi works for) has also not been in the building for 4-5 years.
9	Trigger Street Productions Inc's CA Sec State Bus Ent S.I. provides a false and invalid
10	Principal California address.
11	Trigger Street Productions Inc's CA Sec State Bus Ent S.I. is signed by Frank Selvaggi,
12	an agent who alleges to reside in California, who in fact does not. (In violation of CA law.)
13	Trigger Street Productions Inc's CA Sec State Bus Ent S.I. has NOT been updated for
14	15 years. (CA requires annual updates for foreign entities.)
15	Defendant Bill Block is CEO of Miramax. According to its current and active CA Sec
16	State Bus Ent S.I. Miramax's address is 2450 Colorado, Suite 100 East Tower, Los
17	Angeles, CA 90404. However, according to the Help Desk personnel at this address,
18	Miramax moved from that location about a year earlier, without updating its CA Sec State
19	Bus Ent S.I. Thus, Mr. Assoon could not serve Defendant Block.
20	Gary Kress, the process agent for Defendants Matt Damon and Ben Affleck's businesses,
21	is rarely in his office, per his secretary. This is against the intention and spirit of CCP 452.
21	Thus, Mr Kress was not there when Mr Assoon attempted to serve his business address,
22	and the secretary refused to permit Mr. Asson to leave the summons and Complaint. Thus,
23	Plaintiff had to pay another server to try to serve this address four days later.
24	Defendants Matt Damon and Ben Affleck have NOT updated the CA Sec State Bus Ent
25	S.I. for their business GDS, LLC in over 12 years. (CA requires biennial updates).
26	Defendants Damon and Affleck have NOT updated the CA Sec State Bus Ent S.I. for
27	Mad Post Productions, LLC in over 13 years. (CA requires biennial updates.)
28	

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1	CONCLUSION
2	The Plaintiff hopes this Status Report Regarding Plaintiff's Service Of Process Of
3	Summons And Complaint On All Defendants proves useful to the Court.
4	
5	Dated: November 5, 2018. Signed: <u>/s/ Steve Wilson Briggs</u>
6	STEVE WILSON BRIGGS Plaintiff, In Propria Persona
7	, ,
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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing "STATUS REPORT REGARDING PLAINTIFF'S SERVICE OF PROCESS OF SUMMONS AND COMPLAINT ON ALL DEFENDANTS" with the Clerk of the Court for the United States District Court, Northern District Of California, San Francisco Division, by using the District's Pacer system on November 5, 2018.

Dated: November 5, 2018. Signed: /s/ Steve Wilson Briggs

STEVE WILSON BRIGGS Plaintiff, In Propria Persona

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Steve Wilson Briggs 4322 Chico Ave., Santa Rosa, CA 95407 510 200 3763 snc.steve@gmail.com PLAINTIFF In Propria Persona			
UNITED STAT	TES DISTRICT COURT		
NORTHERN DIS	TRICT OF CALIFORNIA		
STEVE WILSON BRIGGS	Civ No: 18-cv-04952-VC		
Plaintiff,	PROOF OF SERVICE		
VS	DECLARATION OF CECILE LUSBY, REGARDING SERVICE OF		
KEVIN SPACEY; et al PROCESS BY U.S.P.S. MAIL TO DEFENDANTS ARI EMANUEL; NEILL BLOMKAMP;			
PROOF OF SERVICE DE	CLARATION OF CECILE LUSBY,		
REGARDING SERVICE OF PRO	CESS BY U.S.P.S. MAIL TO DEFENDANTS		
ARI EMANUEL; NEILL BLOM	KAMP; MATT DAMON; BEN AFFLECK		
My name is Cecile Lusby, and I declare the following:			
I am over 18, and not a party of this action.			
I am a resident of Sonoma County, where the mailing took place.			
My address is 4322 Chico Avenue, Santa Rosa, CA 95407.			
On November 1, 2018, I served Summons, Complaint and other legal documents on Ari			
Emanuel, Neill Blomkamp, Matt Damon, and Ben Affleck, all via USPS mail. The			
envelopes were addressed to Ari Emanu	el, Neill Blomkamp, Matt Damon and Ben		
	4322 Chico Ave., Santa Rosa, CA 95407 510 200 3763 snc.steve@gmail.com PLAINTIFF In Propria Persona UNITED STAT NORTHERN DIS STEVE WILSON BRIGGS Plaintiff, vs KEVIN SPACEY; et al PROOF OF SERVICE DE REGARDING SERVICE OF PROO ARI EMANUEL; NEILL BLOM My name is Cecile Lusby, and I decil am over 18, and not a party of the I am a resident of Sonoma County My address is 4322 Chico Avenue On November 1, 2018, I served Sum Emanuel, Neill Blomkamp, Matt Dam		

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1	Affleck, as follows:		
2	1.		
3	Ari (Ariel) Emanuel		
4	% William Morris Endeavor 9601 Wilshire Blvd (3rd Floor)		
5	Beverly Hills, CA 90210		
6			
7	2. Neill Blomkamp		
8	% William Morris Endeavor		
9	9601 Wilshire Blvd (3rd Floor)		
10	Beverly Hills, CA 90210		
11	3.		
12	Matt Damon		
13	% Gary Kress		
14	2401 Main Street, Santa Monica, CA 90405		
15	Santa Monton, erryo to		
16	4.		
17	Ben Affleck % Gary Kress		
18	2401 Main Street,		
19	Santa Monica, CA 90405		
20	Each envelopes contained the following documents:		
21	a. Summons In A Civil Action (2)		
21	b. Complaint		
22	c. Civil Cover Sheet		
23	d. Notice Of Availability Of Magistrate Judge To Exercise Jurisdiction		
24	e. Consent Or Declination To Magistrate Judge Jurisdiction		
25	f. Welcome To The Oakland Divisional Office		
26	g. ECF Registration Handout		
27	h. Proposed Order Granting Motion For Permission For Electronic Case Filing		
28	i. Order Setting Initial Case Management And ADR Deadlines		

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1	j. Standing Order General (SBA)		
2	k. Standing Order For All Judges OF The Northern District Of California		
3	1. Standing Order - General (SBA) Patent Case		
4	m. Order Relating Cases (Hon. Judge Vincent Chhabria)		
5	n. Reassigned Case - Notice of New Hearing Date -VC		
6	o. Related Case Order		
7			
8	I served the Summons, Complaint and other legal documents by placing four separate		
9	sets of documents in four separate envelopes, addressed to each of these four named		
10	defendants, as above, with postage paid; I then gave the four envelopes to a US postal clerk		
11	at the US Post Office at 2585 Sebastopol Rd., Santa Rosa, California.		
12	I declare under penalty of perjury under the laws of the United States of America that		
13	the foregoing is true and correct.		
14			
15	Dated: 11/01/2018 Signed: Cecile Lusby		
16	Cecile Lusby		
17			
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1	Steve Wilson Briggs		
2	4322 Chico Ave.,		
3	Santa Rosa, CA 95407		
	510 200 3763 snc.steve@gmail.com		
4	PLAINTIFF In Propria Persona		
5			
6			
8	UNITED STATES DIS	STRICT COURT	
9	NORTHERN DISTRICT	OF CALIFORNIA	
10		Civ No: 18-cv-04952-VC	
11	STEVE WILSON BRIGGS	PROOF OF SERVICE OF SUMMONS	
12	Plaintiff,	AND COMPLAINT DECLARATION OF SERVICE (AND CORRECTION)	
13	VS	OF DR. MORGAN MARCHBANKS,	
14	KEVIN SPACEY; et al	REGARDING 09/27/2017 SERVICE OF PROCESS OF OF DEFENDANTS	
15		KEVIN SPACEY, DANA BRUNETTI,	
16		TRIGGER STREET PRODUCTIONS	
17			
18	PROOF OF SERVICE OF SUMMONS AN	D COMPLAINT DECLARATION OF	
19	SERVICE (AND CORRECTION) OF I		
20	REGARDING 09/27/2017 SERVICE OF PROCESS OF OF DEFENDANTS KEVIN SPACEY, DANA BRUNETTI, TRIGGER STREET PRODUCTIONS		
21	SPACEY, DANA BRUNEI II, IRIG	GER STREET PRODUCTIONS	
21	My name is Dr. Morgan Marchbanks and I dec	plane the fallowing:	
22	,	care the lonowing.	
	1. I am over 18, and not a party of this action.		
23	2. I am a resident of Sonoma County, where the mailing took place.		
24	4. My address is 346 Major Dr., Santa Rosa, CA 95403.		
25	5. On September 27th , 2018, I mailed six (6) total envelopes (three separately addressed		
26	envelopes that were mailed to three separate parties,	•	
27	envelopes that were mailed "care of" the parties auth	norized process of service agent) from the U.S.	
28	Post Office at 2585 Sebastopol Rd., Santa Rosa, Ca	alifornia. Each of the six envelopes contained	

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1	the following documents:
2	a. Summons In A Civil Action (2)
3	b. Complaint
4	c. Civil Cover Sheet
5	d. Notice Of Availability Of Magistrate Judge To Exercise Jurisdiction
6	e. Consent Or Declination To Magistrate Judge Jurisdiction
7	f. Welcome To The Oakland Divisional Office
8	g. ECF Registration Handout
9	h. Proposed Order Granting Motion For Permission For Electronic Case Filing
10	i. Order Setting Initial Case Management And ADR Deadlines
11	j. Standing Order General (SBA)
12	k. Standing Order For All Judges OF The Northern District Of California
13	Standing Order - General (SBA) Patent Case
14	m. Order Relating Cases (Hon. Judge Vincent Chhabria)
15	n. Reassigned Case - Notice of New Hearing Date -VC
16	o. Related Case Order
17	6. The names of the three of the separately served parties were:
18	a. Kevin Spacey
19	b. Dana Brunetti
20	c. Trigger Street Productions, Inc.
21	7. The name of the parties' shared authorized service of process agent, whom I sent three
21	additional envelopes "care of", for each of the three parties listed in item 6 is Frank Selvaggi .
22	8. I served the documents to each of the separate parties, listed above, by enclosing the
23	documents in separate envelopes and giving the envelope to a U.S. Postal Service clerk at the
24	U.S. Post Office at 2585 Sebastopol Rd., Santa Rosa, California, and paying the clerk to send
25	each of the envelopes "Priority" mail, certified and with return receipt requested, to addresses that
26	are outside of California.
27	9. These six (6) individual envelopes were addressed as follows:
28	a. Kevin Spacey

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1	120 W 45th St., Suite 3601		
2	New York, NY 10036		
3	b. Dana Brunetti		
4	200 Park Avenue South,		
5	8th Floor New York, NY 10003		
6	c. Trigger Street Productions, Inc.		
7	120 W 45th St., Suite 3601		
8	New York, NY 10036		
9	d. Kevin Spacey		
10	% Frank Selvaggi		
11	200 Park Avenue South, 8th Floor		
12	New York, NY 10003		
13	e. Dana Brunetti % Frank Selvaggi		
14	200 Park Avenue South, 8th Floor		
15	New York, NY 10003		
16	f. Trigger Street Productions, Inc.		
17	% Frank Selvaggi 200 Park Avenue South, 8th Floor		
18	New York, NY 10003		
19			
20	10. The Plaintiff in this matter, Steve Wilson Briggs, asked me to re-read and re-sign this		
21	leclaration, after he noticed that the previous declaration regarding the process service by mail, of		
21			
22			
23			
24			
25			
26			
27			
28	Dr. Morgan Marchbanks		

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1	Steve Wilson Briggs		
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	4322 Chico Ave.,		
	Santa Rosa, CA 95407		
3	510 200 3763 snc.steve@gmail.com		
4	PLAINTIFF In Propria Persona		
5			
6			
7			
8	UNITED STATES DISTI	RICT COURT	
9	NORTHERN DISTRICT O	F CALIFORNIA	
10	STEVE WILSON BRIGGS	Civ No: 18-cv-04952-VC	
11	i kiikii,	ROOF OF SERVICE OF SUMMONS	
12		AND COMPLAINT DECLARATION OF SERVICE (AND CORRECTION)	
13	I ILLY II V DI LICELI, CI UI	OF DR. MORGAN MARCHBANKS, REGARDING 09/17/2017 SERVICE	
14		OF PROCESS OF OF DEFENDANTS	
15		RIGGER STREET PRODUCTIONS,	
16		NC., AND SOUNDPOINT CAPITAL MANAGEMENT	
17			
18			
19	FIRST PROOF OF SERVICE OF SUM	MONS AND COMPLAINT	
20	DECLARATION OF DR. MORO	GAN MARCHBANKS	
21			
21	My name is Dr. Morgan Marchbanks and I declar	re the following:	
22	1. I am over 18, and not a party of this action.		
23	2. I am a resident of Sonoma County, where the mailing took place.		
24	3. My address is 346 Major Dr., Santa Rosa, CA	. 95403.	
25	4. On September 17th , 2018, I mailed four enve	lopes to four separate parties, from the	
26	U.S. Post Office at 2585 Sebastopol Rd., Santa Rosa,	California. Each of the four envelopes	
27	contained the following documents:		
28	a. Summons In A Civil Action (2)		

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1	b. Complaint	
2	c. Civil Cover Sheet	
3	d. Notice Of Availability Of Magistrate Judge To Exercise Jurisdiction	
4	e. Consent Or Declination To Magistrate Judge Jurisdiction	
5	f. Welcome To The Oakland Divisional Office	
6	g. ECF Registration Handout	
7	h. Proposed Order Granting Motion For Permission For Electronic Case Filing	
8	i. Order Setting Initial Case Management And ADR Deadlines	
9	j. Standing Order General (SBA)	
10	k. Standing Order For All Judges OF The Northern District Of California	
11	Standing Order - General (SBA) Patent Case	
12	5. The names of the four separately served parties were:	
13	a. Kevin Spacey	
14	b. Dana Brunetti	
15	c. Trigger Street Productions	
16	d. Sound Point Capital Management	
17	6. I served the documents to each of the separate parties, listed above, by enclosing the	
18	documents in separate envelopes and giving the envelope to a U.S. Postal Service clerk at the	
19	U.S. Post Office at 2585 Sebastopol Rd., Santa Rosa, California, and paying the clerk to send	
20	each of the envelopes "Priority" mail, certified and with return receipt requested, to addresses that	
21	are outside of California.	
21	7. The four individual envelopes were addressed as follows:	
22	1. Trigger Street Productions	
23	200 Park Avenue South, 8th Floor	
24	New York, NY 10003	
25	2. Kevin Spacey	
26	200 Park Avenue South, 8th Floor	
27	New York, NY 10003	
28	3. Sound Point Capital Management	

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1	375 Park Avenue, 33rd Floor		
2	New York, NY 10152		
3	4. Dana Brunetti		
4	% Cavalry Media		
5	200 Park Avenue South, 8th Floor		
6	New York, NY 10003		
7	8. The Plaintiff in this matter, Steve Wilson Briggs, asked me to re-read and re-sign this		
8	declaration, after he noticed that the previous declaration regarding the process service by mail, of		
9	said documents to said parties, was not dated properly. It was dated 10/05/2018, when, in fact it		
10	was signed on October 9, 2018.		
11	9. I am not a professional process server.		
12	10. I was not paid to serve these documents upon the parties.		
13	11. I declare under penalty of perjury under the laws of the United States of America that the		
14	foregoing is true and correct.		
15			
16	Dated: 11/02/2018 Signed:		
17	Dr. Morgan Marchbanks		
18			
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1	Steve Wilson Briggs		
2	4322 Chico Ave.,		
	Santa Rosa, CA 95407		
3	510 200 3763 snc.steve@gmail.com		
4	PLAINTIFF In Propria Persona		
5			
6			
7	HAMPED COLUM	EC DICTRICT COURT	
8		ES DISTRICT COURT	
9	NORTHERN DIS	TRICT OF CALIFORNIA	
10	SAN FRAN	CISCO DIVISION	
11			
12	STEVE WILSON BRIGGS	Civ No: 18-cv-04952-VC	
13	Plaintiff,	NOTICE OF VOLUNTARY DISMISSAL	
14	VS	OF DEFENDANT SOUND POINT	
15	KEVIN SPACEY, et al	CAPITAL MANAGEMENT, LC, WITHOUT PREJUDICE	
16	,	WITHOUTTREGODICE	
17			
18	TO THE HONORABLE COURT, ALL PARTIES AND THEIR COUNSEL OF		
19	RECORD: Pursuant to Federal Rule of Civ	ril Procedure 41(a)(1)(A)(i), I, Plaintiff Steve Wilson	
20	Briggs, hereby voluntarily dismiss Defendant	SOUND POINT CAPITAL MANAGEMENT,	
21	LC, as it appears, upon deeper examination of	of the evidence, they acted independently of the other	
21	Defendants, without or deceit, self-interest, or	r unethical intent. Such dismissal shall be without	
22	prejudice, with each side to bare its own costs and fees.		
23			
24	Dated: November 5, 2018.	Signed: <u>/s/ Steve Wilson Briggs</u>	
25		STEVE WILSON BRIGGS Plaintiff, In Propria Persona	
26		Tanum, III Topia i Olooia	
27			
28			

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1	CERTIFICATE OF SERVICE		
2			
3	I hereby certify that I served the foregoing "NOTICE OF VOLUNTARY DISMISSAL		
4	OF DEFENDANT SOUND POINT CAPITAL MANAGEMENT, LC, WITHOUT		
5	PREJUDICE" with the Clerk of the Court for the United States District Court, Northern District		
6	Of California, San Francisco Division, by using the District's Pacer system on November 5, 2018.		
7	Participants in the case who are registered PACER users will be served by the District PACER		
8	system.		
9	I further certify that some of the participants in this case are currently not registered PACER		
10	users. To these parties I have mailed the foregoing document by First-Class Mail, postage prepaid.		
11			
12	Dated: November 5, 2018. Signed: /s/ Steve Wilson Briggs		
13	STEVE WILSON BRIGGS Plaintiff, In Propria Persona		
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1 CERTIFICATE OF SERVICE

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Steve Wilson Briggs 4322 Chico Ave., 2 Santa Rosa, CA 95407 510 200 3763 3 snc.steve@gmail.com 4 PLAINTIFF In Propria Persona 5 6 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 STEVE WILSON BRIGGS Civ No: 18-cv-04952-VC 11 Plaintiff, REQUEST FOR ENTRY OF DEFAULT 12 VS [FOURTH] 13 KEVIN SPACEY, et al AGAINST DEFENDANTS 14 KEVIN SPACEY, AND DANA BRUNETTI 15 16 17 REQUEST FOR ENTRY OF DEFAULT 18 TO: the CLERK of the U. S. District Court Northern District Of California. 19 20 Pursuant to FRCP 55(a), Plaintiff Steve Wilson Briggs hereby requests that the Clerk of the United States District Court Northern District Of California enter default in this matter against 21 Defendants Kevin Spacey, Inc., and Dana Brunetti, on the grounds that these Defendants did 21 22 not respond to the Complaint within the time limits prescribed by the Federal Rules of Civil Procedure, Rule 55(a). The Plaintiff submitted a previous Request for default against Defendants 23 Spacey and Brunetti for process server Morgan Marchbanks' September 17, 2018, service of the 24 25 Defendants, which was denied, as the Defendants signed no certified mail return receipts for that service attempt. However, this Request for Entry of Default is based on process server 26 Morgan Marchbanks' September 27, 2018 service on these Defendants, for which the Defendants 27 agent did sign and return the certified mail return receipts. The essential facts of this matter are: 28

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1	• The summons in this matter was issued on August 15, 2018.			
2	In the summons the Court gave the defendants a fixed 21 days to answer.			
3	• The Summons and Complaint were served on these Defendants on September 27,			
4	2018.			
5	The Defendants have not answered with motion or any other responsive pleading within			
6	the time limit fixed by the court.			
7	• The Defendants are not known to be in the military service, as required by 50 U.S.C. app.			
8	Section 520.			
9	The Summons and Complaint were served to these out-of-state Defendants by certified			
10	USPS mail, with return receipts requested, on September 27, 2018. Service by mail affords the			
11	Defendants an extra 10 days, before service is deemed completed. Therefore, these Defendants'			
12	answer or other response was due on or before October 29, 2018. This Request for Entry of			
13	Default was submitted to this Court on October 31, 2018, and at the time of its submission			
14	Defendants Spacey and Brunetti had still not honored this Court with a response.			
15	Defendants Kevin Spacey and Dana Brunetti have defaulted.			
16	Therefore, the Plaintiff asks the Clerk to review the case record, to confirm that the			
17	Defendants have failed to appear, plead or defend, within the required time limits, and enter			
18	Defendant Spacey and Brunetti in default, pursuant to FRCP 55(a).			
19	Dated: 10/31/2018 Signed: /s/ Steve Wilson Briggs			
20	Plaintiff, In Propria Persona			
21				
21				
22				
23				
24				
25				
26				
27				
28				

Case 3:18-cv-04952-VC Document 33-1 Filed 10/31/18 Page 1 of 1

1 2 3 4 5 6 7	Steve Wilson Briggs 4322 Chico Ave., Santa Rosa, CA 95407 510 200 3763 snc.steve@gmail.com PLAINTIFF In Propria Persona		
8	UNITED STATES	DISTRICT COURT	
9	NORTHERN DISTRI	ICT OF CALIFORNIA	
10			
11	STEVE WILSON BRIGGS	Civ No: 18-cv-04952-VC	
12	Plaintiff,	[PROPOSED] ENTRY OF DEFAULT	
13	vs		
14	KEVIN SPACEY, et al		
15			
16			
17	[PROPOSED] ENTRY OF DEFAULT		
18			
19		ests that the Clerk of Court enter default against	
20		arsuant to Federal Rule of Civil Procedure 55(a).	
21		dants have failed to appear, plead or otherwise	
21	defend within the specified time limits, the default of defendants Kevin Spacey and Dana Brunetti is		
	hereby entered, pursuant to Federal Rule of Civil Procedure 55(a).		
23	Dated this day of	, 2018.	
24			
25		V. Saarra Clade of Court	
26	Susan	Y. Soong, Clerk of Court	
27 28			
40			

1 [PROPOSED] ENTRY OF DEFAULT

Case 3:18-cv-04952-VC Document 33-2 Filed 10/31/18 Page 1 of 2

Steve Wilson Briggs 4322 Chico Ave.,		
		Santa Rosa, CA 95407 510 200 3763
snc.steve@gmail.com		
PLAINTIFF In Propria Persona		
UNITED STATES DISTRICT COURT		
NORTHERN DISTRICT OF CALIFORNIA		
	Civ No: 18-cv-04952-VC	
STEVE WILSON BRIGGS	CERTIFICATION OF SERVICE	
Plaintiff,	OF "REQUEST FOR ENTRY OF DEFAULT [FOURTH]"	
VS	AND DECLARATION OF	
KEVIN SPACEY; et al	CECILE LUSBY	
CERTIFICATION OF SERVICE DECLARATION OF CECILE LUSBY, RE:		
"REQUEST FOR ENTRY OF DEFAULT [FOURTH] AGAINST DEFENDANTS		
SPACEY AND BRUNETTI"		
My name is Cecile Lusby, and I declare the following:		
1. I am over 18, and not a party of this a	ection.	
2. I am a resident of Sonoma County, w	here the mailing took place.	
4. My address is 4322 Chico Avenue, Sa	anta Rosa, CA 95407.	
5. On October 31, 2018, I deposited two	envelopes containing a "Request for Entry of	
Default [Fourth]; Against Defendants Kevin Spacey and Dana Brunetti", and "Proposed		
Entry of Default," in the mail drop box at the U.S. Post Office at 2585 Sebastopol Rd.,		
Santa Rosa, California.		
6. The envelopes were addressed to Kev	in Spacey and Dana Brunetti. The envelopes	
were addressed as follows:		
	4322 Chico Ave., Santa Rosa, CA 95407 510 200 3763 snc.steve@gmail.com PLAINTIFF In Propria Persona UNITED STATES NORTHERN DISTR STEVE WILSON BRIGGS Plaintiff, vs KEVIN SPACEY; et al CERTIFICATION OF SERVICE DEA "REQUEST FOR ENTRY OF DEFAULT SPACEY AN My name is Cecile Lusby, and I declare 1. I am over 18, and not a party of this a 2. I am a resident of Sonoma County, w 4. My address is 4322 Chico Avenue, Sc 5. On October 31, 2018, I deposited two Default [Fourth]; Against Defendants Kevin Entry of Default," in the mail drop box at th Santa Rosa, California. 6. The envelopes were addressed to Kev	

Case 3:18-cv-04952-VC Document 33-2 Filed 10/31/18 Page 2 of 2

1	a. Kevin Spacey % Frank Selvaggi 200 Park Avenue South, 8th Floor		
2	New York, NY 10003		
3	and		
4	b. Dana Brunetti		
5	% Frank Selvaggi		
6 7	200 Park Avenue South, 8th Floor		
8	New York, NY 10003 7. I served the documents to each of the separate parties, listed above, by enclosing the		
9			
10	documents in separate envelopes, with prepaid first-class postage affixed, then depositing the envelopes in the mail drop box of the U.S. Post Office at 2585 Sebastopol Rd., Santa		
11	Rosa, California, on October 31, 2018.		
12			
13			
14			
	600000		
15	Dated: 10/31/2018 Signed:		
15 16	Dated: 10/31/2018 Signed: Cecile Lusby		
	Dated: 10/31/2018 Signed: Cecile Lusby		
16	Dated: 10/31/2018 Signed: Cecile Lusby		
16 17	Dated: 10/31/2018 Signed: Cecile Lusby		
16 17 18	Dated: 10/31/2018 Signed: Cecile Lusby		
16 17 18 19	Dated: 10/31/2018 Signed: Cecile Lusby		
16 17 18 19 20	Dated: 10/31/2018 Signed: Cecile Lusby		
16 17 18 19 20 21 22 23	Dated: 10/31/2018 Signed: Cecile Lusby		
16 17 18 19 20 21 22 23 24	Dated: 10/31/2018 Signed: Cecile Lusby		
16 17 18 19 20 21 22 23 24 25	Dated: 10/31/2018 Signed: Cecile Lusby		
16 17 18 19 20 21 22 23 24 25 26	Dated: 10/31/2018 Signed: Cecile Lusby		
16 17 18 19 20 21 22 23 24 25	Dated: 10/31/2018 Signed: Cecile Lusby		

Case 3:18-cv-04952-VC Document 33-3 Filed 10/31/18 Page 1 of 19

1	Steve Wilson Briggs	
2	4322 Chico Ave.,	
3	Santa Rosa, CA 95407 510 200 3763	
4	snc.steve@gmail.com	
5	PLAINTIFF In Propria Persona	
6		
7		
8	UNITED STATE	S DISTRICT COURT
9	NORTHERN DISTRICT OF CALIFORNIA	
10		
11		Civ No: 18-cv-04952-VC
12		SUPPLEMENTAL CERTIFICATION OF
13		SERVICE: PROOF SUMMONS WAS SERVED ON DEFENDANTS TRIGGER
14	STEVE WILSON BRIGGS	STREET PRODUCTIONS, INC. (TSP),
15	Plaintiff,	AND SOUND POINT CAPITAL MANAGEMENT, ON 09/17/2018; AND
16	VS	SERVED ON DEFENDANTS SPACEY,
17	KEVIN SPACEY; et al	BRUNETTI AND TSP, ON 09/27/2018, IN THE FORM OF SIGNED RETURN
18	,	RECEIPTS FROM CERTIFIED MAIL
19		SERVICE OF DEFENDANTS;
20		COMPLIANT WITH CCP § 417.20
21	·	TIFICATION OF SERVICE:
21		ON DEFENDANTS TRIGGER STREET IND POINT CAPITAL MANAGEMENT, ON
22	09/17/2018; AND SERVED ON DEFENI	DANTS SPACEY, BRUNETTI AND TSP, ON
23		O RETURN RECEIPTS FROM CERTIFIED TS; COMPLIANT WITH CCP § 417.20
24	On October 25, 2018, the Plaintiff sub	omitted to the Clerk a Request For Entry Of Default;
25	however, the Plaintiff neglected to submit to this Court a copy of the signed return receipts to verify	
26	that service was executed on these out-of-state Defendants, in compliance with CCP § 417.20.	
27	Therefore the Request was denied. The Plair	ntiff apologizes for any wasted time and energy this
28	oversight may have caused the Court, the Clerk	k, or the Clerk's office.

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1 This filing is to verify for the Court that all out-of-state parties have been served in 2 compliance with § 417.20. Since serving the out-of-state Defendants required two separate 3 service efforts (one on September 17, 2018, the other on September 27, 2018), the details and 4 supplemental proof of service (signed return receipts) are provided under two separate headings. 5 6 PROOF FROM 09/17/2018 SERVICE OF PROCESS: 7 **Signed Return Receipts From TSP & Soundpoint** 8 On September 17, 2018, Morgan Marchbanks served out-of-state Defendants Kevin 9 Spacey, Dana Brunetti, Trigger Street Productions, Inc., and Sound Point Capital 10 Management, by sending the summons, complaint and other legal documents via the United 11 States Postal Service, certified mail, with return receipt requested, as required for service of process for out of state Defendants. Dr. Marchbanks signed a declaration outlining the details of 12 13 this service of these Defendants, which the Plaintiff subsequently submitted to the Court. 14 Approximately a week after Dr. Marchbanks' 09/17/2018 service via mail, Defendants 15 Trigger Street Productions, Inc.'s (TSP) and Sound Point Capital Management's signed return receipts arrived in the mail. [See Exhibit A, the signed certified mail return receipts, as required by 16 17 CA CCP SECTION 417.20; and [See Exhibit B, the reverse side of same signed return 18 receipts]. Although Defendants Spacey and Brunetti (or their agent) did not respond to Dr. 19 Morgan Marchbanks on this particular service attempt (09/17/2018), they would, however, 20 respond to her second service of process attempt, made on September 27, 2018. 21 The Certified Mail Receipts for these four service parcels is attached a **Exhibit** C. 21 22 PROOF FROM 09/27/2018 SERVICE OF PROCESS: 23 Signed Return Receipts From Defs Spacey, Brunetti & Sound Point Capital 24 On September 27, 2018, Dr. Morgan Marchbanks once again served out-of-state 25 Defendants Kevin Spacey, Dana Brunetti and Trigger Street Productions, Inc. Since the 26 Plaintiff was concerned about the Defendants many rumoured, purported and registered 27 addresses, and the possibility the Defendants might attempt somehow to deny valid service, the

> 2 SUPPLEMENTAL PROOF OF SERVICE

Plaintiff resolved to serve these three Defendants at least two more times and ways, on their most

28

Case 3:18-cv-04952-VC Document 33-3 Filed 10/31/18 Page 3 of 19

1	credible out-of-state address(s). Thus the Plaintiff asked Dr. Marchbanks to send two envelopes		
2	containing summons, complaint, etc., to the Defendants' address(s), or their agent's address(s)		
3	specified in Dr. Marchbanks service of process declaration, and via the United States Postal		
4	Service, certified mail, with return receipt requested, as required under CCP 415.20 for service of		
5	process for out of state Defendants. Approximately a week after Dr. Marchbanks' 09/27/2018		
6	service via mail, Defendants Kevin Spacey's, Dana Brunetti's and TSP's signed return receipts		
7	arrived in the mail. [See Exhibit D, signed certified mail return receipts for Spacey, Bruneti, an		
8	TSP, as required by CA CCP SECTION 417.20]; and [See Exhibit E, the reverse side of same		
9	signed return receipts]. A second return receipt came for Defendant Brunetti, and an unsigned but		
10	returned receipt also came for Defendant Spacey. [See Exhibits F and G, signed front, and back,		
11	respectively]. All of the return receipts sent % these Defendants' registered agent were signed and		
12	returned.		
13	The Certified Mail Receipts for these four service parcels is attached a Exhibit H.		
14	Note:		
15	The Court should observe that the numbers printed on the left base of the signed face of the		
16	return receipts, and the numbers printed horizontally on the left edge of the Certified Mail Receipts,		
17	precisely conform to the numbers printed horizontally on the left edge of the Certified Mail		
18	Receipts attached to the respective declarations of Morgan Marchbanks.		
19			
20	Dated: 10/29/2018 Signed: /s/ Steve Wilson Briggs		
21	Plaintiff, In Propria Persona		
21			
22			
23			
24			
25			
26			
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1			

3 SUPPLEMENTAL PROOF OF SERVICE

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EXHIBIT

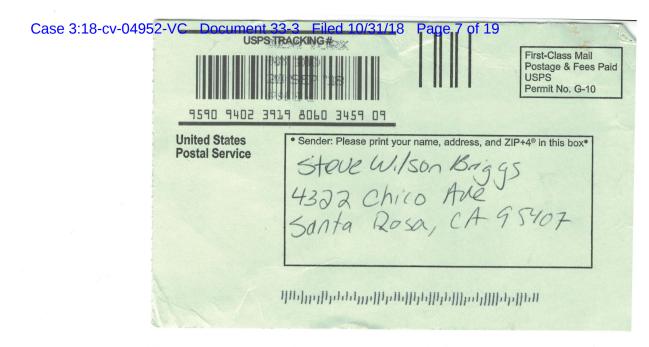


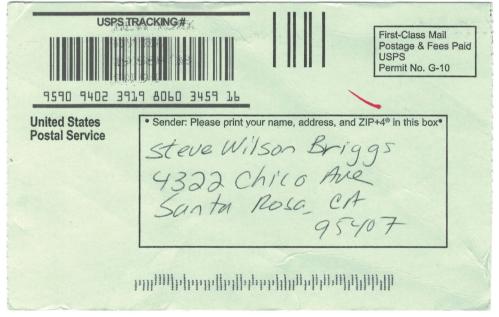
Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: Trigger Street Prids Object of Delivery address different from item 1? Yes
Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: Trigger Street Prods 2. Article Number (Transfer from service label) Print your name and address on the reverse so that we can return the card to you. Addressed by (Printed Name) C bate of Delivery address different from item 1? Yes If YES, enter delivery address below: No Service Type Adult Signature Restricted Delivery Certified Mail® Registered Mail™ Registered M
So that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: Trigger Street Prods 2 Cos Prod Ave South Ave South Address different from item 1? Yes If YES, enter delivery address below: No 3. Service Type Priority Mail Express Registered Mail® Signature Confirmation and
Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No No
or on the front if space permits. 1. Article Addressed to: Trigger Street Prods
If YES, enter delivery address below: No Note of the first of the fir
2 O'C Service Type Adult Signature Priority Mail Express Adult Signature Registered Mail
□ Adult Signature □ Adult Signature □ Registered Mail™ □ Registered Mail Rest Delivery □ Certified Mail® □ Certified Mail® □ Certified Mail Restricted Delivery □ Collect on Delivery □ Collect on Delivery □ □ Signature Confirmation of Mail □ Signature Confirmation of
□ Adult Signature □ Adult Signature □ Registered Mail™ □ Registered Mail Rest Delivery □ Certified Mail® □ Certified Mail® □ Certified Mail Restricted Delivery □ Collect on Delivery □ Collect on Delivery □ □ Signature Confirmation of Mail □ Signature Confirmation of
□ Adult Signature □ Adult Signature □ Registered Mail™ □ Registered Mail Rest Delivery □ Certified Mail® □ Certified Mail® □ Certified Mail Restricted Delivery □ Collect on Delivery □ Collect on Delivery □ □ Signature Confirmation of Mail □ Signature Confirmation of
Adult Signature Restricted Delivery 9590 9402 3919 8060 3459 09. Certified Mail Certi
9590 9402 3919 8060 3459 09
2. Article Number (Transfer from service label)
201.A 03L0 0002 1.2L9 7255 ad Mail Restricted Delivery Restricted Delivery
A Main Restricted Delivery
PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Rece
SENDER: COMPLETE THIS SECTION COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3.
■ Print your name and address on the reverse So that we can return the card to you. Address:
so that we can return the card to you. Address: B. Received by (Printed Name) C. Date of Delive
or on the front if space permits.
1. Article Addressed to: D. Is delivery address different from item 1? Yes If YES, enter delivery address below:
Sound Point Capital Minagny If YES, enter delivery address below: 1 No
375 Park Avenue.
33ml Plans
New York NY 10152
3. Service Type ☐ Priority Mail Express®
☐ Adult Signature ☐ Registered Mail™ ☐ Adult Signature ☐ Registered Mail™ ☐ Adult Signature Restricted Delivery ☐ Registered Mail Restric
9590 9402 3919 8060 3459 16
☐ Collect on Delivery Merchandise Collect on Delivery Restricted Delivery ☐ Collect on Delivery Restricted Delivery ☐ Collect on Delivery Restricted Delivery
7018 0360 0002 1269 7224 Insured Mail Restricted Delivery (over \$500)
PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receip

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EXHIBIT

В





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EXHIBIT

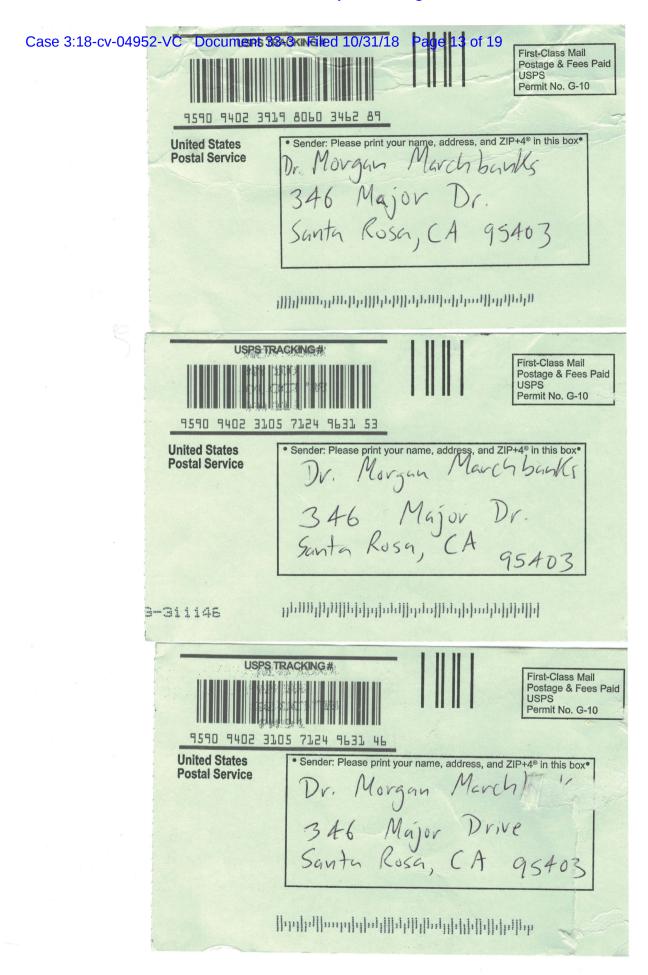
D

Case 3:18-cv-0	04952-VC Document 33-3 Filed 10	/31/18 Page 11 of 19	
	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION OF	N DELIVERY
	Complete items 1, 2, and 3.	A. Signature	
	Print your name and address on the reverse	x/. 32	☐ Agent☐ Addressee
	so that we can return the card to you. Attach this card to the back of the mailpiece,	B. Received by (Printed Name)	C. Date of Delivery
	or on the front if space permits.	1 Savier Buendla	101118
	1. Article Addressed to:	D. Is delivery address different fr If YES, enter delivery addres	
	Kevin Spacey		
	46 Frank Selvaggi		
	200 Park Are South		
	AND MU IN Str Floor		
	NY NY 10003	3. Service Type	☐ Priority Mail Express®
		☐ Adult Signature ☐ Adult Signature Restricted Delivery	☐ Registered Mail™ ☐ Registered Mail Restricted
	9590 9402 3919 8060 3462 89	☐ Certified Mail® ☐ Certified Mail Restricted Delivery	Delivery Return Receipt for
	2 Article Number (Transfer from service label)	☐ Collect on Delivery ☐ Collect on Delivery Restricted Deliver	Merchandise y □ Signature Confirmation™
	7018 0360 0002 1269 6258	Insured Mail Restricted Delivery	☐ Signature Confirmation Restricted Delivery
	PS Form 3811, July 2015 PSN 7530-02-000-9053	(over \$500)	Domestic Return Receipt
7	The second secon	and the same	4
	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON	DELIVERY
	Complete items 1, 2, and 3.	À Signature	
	Print your name and address on the reverse	x 2 2 2	☐ Agent
	so that we can return the card to you.	B Received by (Printed Name)	C. Date of Delivery
	Attach this card to the back of the mailpiece, or on the front if space permits.	Javier Brendie	10/1/18
	Article Addressed to:	D. Is delivery address different from If YES, enter delivery address	
	Dana Brunetti	II 123, enter delivery address	below. LI No
	Go Frank Selvaggi		
	200 Park Ave South		
	ath II.		
	New York, NY 10003	3. Service Type	☐ Priority Mail Express®
		☐ Adult Signature ☐ Adult Signature Restricted Delivery	☐ Registered Mail™ ☐ Registered Mail Restricted
	9590 9402 3105 7124 9631 53	☐ Certified Mail® ☐ Certified Mail Restricted Delivery	Delivery Return Receipt for
	2. Article Number (Transfer from service label)	☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery	Merchandise ☐ Signature Confirmation™
	7018 0360 0002 1269 6210	sured Mail sured Mail Restricted Delivery	☐ Signature Confirmation Restricted Delivery
	PS Form 3811, July 2015 PSN 7530-02-000-9053	(Jer \$500)	Domestic Return Receipt
. 9	7		
	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON D	FLIVERY
		A. Signature	
	Complete items 1, 2, and 3. Print your name and address on the reverse	X ///	(☐ Agent
	so that we can return the card to you.	B. Received by (Printed Name)	C. Date of Delivery
	Attach this card to the back of the mailpiece, or on the front if space permits.	b. Neceived by (Fillited Name)	G. Date of Delivery
	1. Article Addressed to:	D. Is delivery address different from	
	Trigger Street Prods Inc.	If YES, enter delivery address b	elow: No
	40 Frank Selvaggi		
	200 Park Ave Sorth		
	New York, NY 10034	3. Service Type	
		☐ Adult Signature	☐ Priority Mail Express®☐ Registered Mail™
		☐ Certified Mail®	☐ Registered Mail Restricted Delivery ☐ Return Receipt for
4	9590 9402 3105 7124 9631 46	☐ Collect on Delivery	Merchandise Signature Confirmation™
	2. Article Number (<i>Transfer from service labell</i> 7018 0360 0002 1269 6227		☐ Signature Confirmation Restricted Delivery
4	PS Form 3811, July 2015 PSN 7530-02-000-9053	(over \$500)	
	PS FORM SO FT, July 2015 PSN 7530-02-000-9053	L Do	omestic Return Receipt

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EXHIBIT

E



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Case 3:18-cv-04952-\	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
	Complete items 1, 2, and 3.	A. Signature
	■ Print your name and address on the reverse	Y 1 B □ Ager
	so that we can return the card to you.	Addr
	Attach this card to the back of the mailpiece,	Received by (Printed Name) C. Date of De
	or on the front if space permits.	Twith were 16
	1. Article Addressed to:	D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
	Pana Brunetti	I 120, citor delivery desires selon.
	200 Park Ave South	
	8th Floor	
	New York, NY 10003	
	1000 101M, 101 10003	3. Service Type ☐ Priority Mail Expre
		☐ Adult Signature ☐ Registered Mail™
		☐ Adult Signature Restricted Delivery ☐ Registered Mail Re Delivery
	9590 9402 3919 8060 3462 96	☐ Certified Mail Restricted Delivery ☐ Return Receipt for
		Collect on Delivery Restricted Delivery Signature Confirma
	7018 0360 0002 1269 6241	nsured Mail Insured Mail Restricted Delivery Restricted Delivery
	70.5 0011 11.0015	(over \$500)
	PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Re
1		
	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION
	Complete items 1, 2, and 3.	COMPLETE THIS SECTION ON DELIVERY
	Print your name and address on the rowers	A. Signature
	of that we can return the card to you	X Ager
	Attach this card to the back of the maileir	B. Received by (Printed Name) C. Date of De
	or on the front if space permits. 1. Article Addressed to:	C. Date of De
		D. Is delivery address different from item 1? Yes
	Kevin Spacey	If YES, enter delivery address below:
	170 W 10th	and the same of th
	100 00 4519 54.	
	STE 3601	
	New York, NY 10031	
	10036	2 2 - : =
		3. Service Type ☐ Adult Signature ☐ Priority Mail Express ☐ Registration of the Priority Mail Express
1		☐ Adult Signature Restricted Delivery ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Certified Mail®
1	1000 3402 3103 / 124 4631 60	Certified Mail Postrioted Date
1	7010 man amiles labell	Collect on Delivery Restricted Delivery
1	7018 0360 0002 1269 6203	Ilisured Mail
8	PS Form 3811, July 2015 PSN 7530-02-000-9053	Insured Mail Restricted Delivery (over \$500) Restricted Delivery
	7 7 - 5 - 5 - 6 - 7 - 5 - 6 - 6 - 6 - 6 - 6 - 6 - 6 - 6 - 6	Domestic Return Rece

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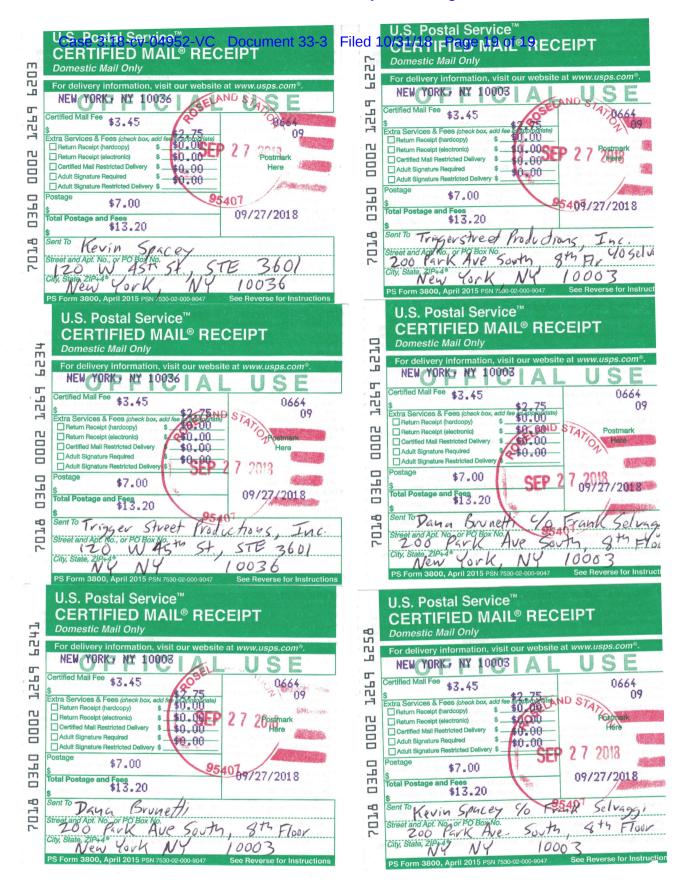


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1 2 3 4 5	Steve Wilson Briggs 4322 Chico Ave., Santa Rosa, CA 95407 510 200 3763 snc.steve@gmail.com PLAINTIFF In Propria Persona		
6			
7			
8		DISTRICT COURT	
9	NORTHERN DISTR	ICT OF CALIFORNIA	
10			
11		Civ No: 18-cv-04952-VC	
12	STEVE WILSON BRIGGS	DECLARATION OF DR. MORGAN	
13	Plaintiff,	MARCHBANKS, IN VERIFICATION AND SUPPORT OF PLAINTIFF'S	
14	vs	SUPPLEMENTAL PROOF OF SERVICE	
15	KEVIN SPACEY; et al	FILING	
16	5		
17			
18	DECLARATION OF DR. MORGAN MARCHBANKS, IN VERIFICATION AND		
19	SUPPORT OF PLAINTIFF'S SUPPLEMENTAL PROOF OF SERVICE FILING		
20			
21	My name is Dr. Morgan Marchbanks and I declare the following:		
21	I am over 18, and not a party of this action.		
22			
23			
24	On September 17th, 2018, I sent four	envelopes containing summons, complaint, etc.,	
25	via USPS certified mail, with return receipt reque	ested, to the Defendants in the matter of Briggs v	
26	Spacey et al, named Kevin Spacey, Dana Bru	netti, Trigger Street Productions, Inc., and	
27	Sound Point Capital Management. Then aga	nin, ten Days later, on September 27, 2018, I sent	
28	six more envelopes containing summons compla	int, etc., via USPS certified mail, with return	

1

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1	receipt requested, to Defendants in this matter named Kevin Spacey, Dana Brunetti, and Trigger
2	Street Productions, Inc. The address that I sent these certified parcels to are detailed in my two
3	previous service declarations in this matter.
4	I have reviewed the document(s) that I am told that the Plaintiff in this matter, Steve Wilson
5	Briggs, submitted to the Court on October 29, 2018, entitled: "Supplemental Certification Of
6	Service: Proof Summons Was Served On Defendants Trigger Street Productions, Inc.
7	(TSP), And Sound Point Capital Management, On 09/17/2018; And Served On
8	Defendants Spacey, Brunetti And TSP, On 09/27/2018, In The Form Of Signed Return
9	Receipts From Certified Mail Service Of Defendants; Compliant With Ccp § 417.20."
10	I hereby verify that all of the details in that document (named in bold print above),
11	concerning my service of the Defendants, to be completely accurate with my recollection of events
12	and consistent with the declarations that I signed previously in this matter.
13	Additionally, I reviewed the exhibit attachments attached to that document (named in bold
14	print above), and I hereby verify that all of the exhibit attachments (which are signed return receipts
15	for service, and certified mail receipts) are the same return receipts that I prepared with the $USPS$
16	postal clerk on September 17, 2018, and/or are the same return receipts that Mr. Briggs pre-filed $$
17	for me to deliver to the US post office on September 27, 2018, to attach to the parcels at the US $$
18	post office, and which were subsequently signed by the Defendants or their agents, and returned,
19	via USPS mail, to my address, which I later returned to Mr. Briggs.
20	I declare under penalty of perjury under the laws of the United States of America that the
21	foregoing is true and correct.
21	
22	Dated: 10/29/2018 Signed Muldball Silver
23	Dr. Morgan Marchbanks
24	
25	
26	
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1	Steve Wilson Briggs	·	
2	4322 Chico Ave.,	Marrie II II Marrie Basel	
3	Santa Rosa, CA 95407 510 200 3763	FILED	
4	snc.steve@gmail.com	OCT = 9 2018	
5	PLAINTIFF In Propria Persona		
6		SUSAN Y. SCONG CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA	
7			
8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRIC	CT OF CALIFORNIA	
10		Civ No: 18-cv-04952-VC	
11	STEVE WILSON BRIGGS	(SECOND) PROOF OF SERVICE	
12	Plaintiff,	OF SUMMONS AND COMPLAINT DECLARATION OF	
13	vs	DR. MORGAN MARCHBANKS	
14	KEVIN SPACEY; et al		
15			
	SECOND PROOF OF SERVICE O	OF SUMMONS AND COMPLAINT	
15			
15 16	SECOND PROOF OF SERVICE O		
15 16 17	SECOND PROOF OF SERVICE O	MORGAN MARCHBANKS	
15 16 17 18	SECOND PROOF OF SERVICE O DECLARATION OF DR. M	MORGAN MARCHBANKS I declare the following:	
15 16 17 18 19	SECOND PROOF OF SERVICE O DECLARATION OF DR. M My name is Dr. Morgan Marchbanks and	MORGAN MARCHBANKS I declare the following: tion.	
15 16 17 18 19 20	SECOND PROOF OF SERVICE OF DECLARATION OF DR. M My name is Dr. Morgan Marchbanks and 1. I am over 18, and not a party of this ac	AORGAN MARCHBANKS I declare the following: tion. ere the mailing took place.	
15 16 17 18 19 20 21	SECOND PROOF OF SERVICE OF DECLARATION OF DR. M. My name is Dr. Morgan Marchbanks and 1. I am over 18, and not a party of this ac 2. I am a resident of Sonoma County, who	AORGAN MARCHBANKS I declare the following: tion. ere the mailing took place. osa, CA 95403.	
15 16 17 18 19 20 21 21	SECOND PROOF OF SERVICE OF DECLARATION OF DR. M. My name is Dr. Morgan Marchbanks and 1. I am over 18, and not a party of this ac 2. I am a resident of Sonoma County, who 4. My address is 346 Major Dr., Santa Ro	AORGAN MARCHBANKS I declare the following: tion. ere the mailing took place. osa, CA 95403. x (6) total envelopes (three separately	
15 16 17 18 19 20 21 21 22	SECOND PROOF OF SERVICE OF DECLARATION OF DR. M. My name is Dr. Morgan Marchbanks and 1. I am over 18, and not a party of this ac 2. I am a resident of Sonoma County, whe 4. My address is 346 Major Dr., Santa Ro 5. On September 27th, 2018, I mailed si	AORGAN MARCHBANKS I declare the following: tion. ere the mailing took place. osa, CA 95403. x (6) total envelopes (three separately separate parties, and another three separately	
15 16 17 18 19 20 21 21 22 23	SECOND PROOF OF SERVICE OF DECLARATION OF DR. M. My name is Dr. Morgan Marchbanks and 1. I am over 18, and not a party of this ac 2. I am a resident of Sonoma County, who 4. My address is 346 Major Dr., Santa Ro 5. On September 27th, 2018, I mailed si addressed envelopes that were mailed to three	AORGAN MARCHBANKS I declare the following: tion. ere the mailing took place. osa, CA 95403. x (6) total envelopes (three separately separate parties, and another three separately?' the parties authorized process of service	
15 16 17 18 19 20 21 21 22 23 24	SECOND PROOF OF SERVICE OF DECLARATION OF DR. M. My name is Dr. Morgan Marchbanks and 1. I am over 18, and not a party of this ac 2. I am a resident of Sonoma County, who 4. My address is 346 Major Dr., Santa Ro 5. On September 27th, 2018, I mailed si addressed envelopes that were mailed to three addressed envelopes that were mailed "care of	AORGAN MARCHBANKS I declare the following: tion. ere the mailing took place. osa, CA 95403. x (6) total envelopes (three separately separate parties, and another three separately?' the parties authorized process of service stopol Rd., Santa Rosa, California. Each of the	
15 16 17 18 19 20 21 21 22 23 24 25	SECOND PROOF OF SERVICE OF DECLARATION OF DR. M. My name is Dr. Morgan Marchbanks and 1. I am over 18, and not a party of this ac 2. I am a resident of Sonoma County, who 4. My address is 346 Major Dr., Santa Ro 5. On September 27th, 2018, I mailed si addressed envelopes that were mailed to three addressed envelopes that were mailed "care of agent) from the U.S. Post Office at 2585 Seba	AORGAN MARCHBANKS I declare the following: tion. ere the mailing took place. osa, CA 95403. x (6) total envelopes (three separately separate parties, and another three separately?' the parties authorized process of service stopol Rd., Santa Rosa, California. Each of the	

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1	c. Civil Cover Sheet			
2	d. Notice Of Availability Of Magistrate Judge To Exercise Jurisdiction			
3	e. Consent Or Declination To Magistrate Judge Jurisdiction			
4	f. Welcome To The Oakland Divisional Office			
5	g. ECF Registration Handout			
6	h. Proposed Order Granting Motion For Permission For Electronic Case Filing			
7	i. Order Setting Initial Case Management And ADR Deadlines			
8	j. Standing Order General (SBA)			
9	k. Standing Order For All Judges OF The Northern District Of California			
10	Standing Order - General (SBA) Patent Case			
11	m. Order Relating Cases (Hon. Judge Vincent Chhabria)			
12	n. Reassigned Case - Notice of New Hearing Date -VC			
13	o. Related Case Order			
14	6. The names of the three of the separately served parties were:			
15	a. Kevin Spacey			
16	b. Dana Brunetti			
17	c. Trigger Street Productions, Inc.			
18	7. The name of the parties' shared authorized service of process agent, whom I sent			
19	three additional envelopes "care of", for each of the three parties listed in item 6 is Frank			
20	Selvaggi.			
21	8. I served the documents to each of the separate parties, listed above, by enclosing the			
21	documents in separate envelopes and giving the envelope to a U.S. Postal Service clerk at			
22	the U.S. Post Office at 2585 Sebastopol Rd., Santa Rosa, California, and paying the clerk to			
23	send each of the envelopes "Priority" mail, certified and with return receipt requested, to			
24	addresses that are outside of California.			
25	9. These six (6) individual envelopes were addressed as follows:			
26	a. Kevin Spacey			
27	120 W 45th St., Suite 3601 New York, NY 10036			
28	110W 10IA, 11 1 10050			
}				

$\textbf{Casse 331.88} ev \lor \textbf{04.495.22} \lor \textbf{7.000} commercin 13.875 \ \ \textbf{Fillibel} cit. \textbf{1.000.911.18} \ \ \textbf{Fillibel} er \textbf{3.300} f \textbf{3.3}$

1	b. Dana Brunetti
2	200 Park Avenue South,
3	8th Floor New York, NY 10003
4	c. Trigger Street Productions, Inc.
5	120 W 45th St., Suite 3601
6	New York, NY 10036
7	d. Kevin Spacey
8	% Frank Selvaggi
9	200 Park Avenue South, 8th Floor
10	New York, NY 10003
11	e. Dana Brunetti
	% Frank Selvaggi 200 Park Avenue South, 8th Floor
12	New York, NY 10003
13 14	f. Trigger Street Productions, Inc.
	% Frank Selvaggi
15	200 Park Avenue South, 8th Floor
16	New York, NY 10003
17	10. I am not a professional process server.
18	11. I was not paid to serve these documents upon the parties.
19	12. I declare under penalty of perjury under the laws of the United States of America that
20	the foregoing is true and correct.
21	
21	Dated: 10/05/2018 Signed: 2000 Name (Signed)
22	Dr. Morgan Marchbanks
23	
24	
25	
26	
27	
28	

Case 3:18-cv-04952-VC Document 33-6 Filed 10/31/18 Page 1 of 3

1	Steve Wilson Briggs			
2	4322 Chico Ave.,			
	Santa Rosa, CA 95407			
3	510 200 3763 snc.steve@gmail.com			
4	PLAINTIFF In Propria Persona	Y and the state of		
5				
6				
7				
8	UNITED STATES DIS	STRICT COURT		
9	NORTHERN DISTRICT	T OF CALIFORNIA		
10		Civ No: 18-cv-04952-VC		
11	STEVE WILSON BRIGGS	(SECOND) PROOF OF SERVICE		
12	Plaintiff,	OF SUMMONS AND COMPLAINT DECLARATION OF		
13	vs	DR. MORGAN MARCHBANKS		
14	KEVIN SPACEY; et al			
15				
16	SECOND PROOF OF SERVICE OF S	SUMMONS AND COMPLAINT		
17	DECLARATION OF DR. MORGAN MARCHBANKS			
18				
19	My name is Dr. Morgan Marchbanks and I declare the following:			
20	1. I am over 18, and not a party of this action.			
21	2. I am a resident of Sonoma County, where the	ne mailing took place.		
21	4. My address is 346 Major Dr., Santa Rosa,	CA 95403.		
22	5. On September 27th, 2018, I mailed six (6) total envelopes (three separately addressed			
23	envelopes that were mailed to three separate parties, and another three separately addressed			
24	envelopes that were mailed "care of" the parties authorized process of service agent) from the U.S.			
25	Post Office at 2585 Sebastopol Rd., Santa Rosa, California. Each of the six envelopes contained			
26	the following documents:			
27	a. Summons In A Civil Action (2)			
28	b. Complaint			

Case 3:18-cv-04952-VC Document 33-6 Filed 10/31/18 Page 2 of 3

1	Civil Communication
1	c. Civil Cover Sheet
2	d. Notice Of Availability Of Magistrate Judge To Exercise Jurisdiction
3	e. Consent Or Declination To Magistrate Judge Jurisdiction
4	f. Welcome To The Oakland Divisional Office
5	g. ECF Registration Handout
6	h. Proposed Order Granting Motion For Permission For Electronic Case Filing
7	i. Order Setting Initial Case Management And ADR Deadlines
8	j. Standing Order General (SBA)
9	k. Standing Order For All Judges OF The Northern District Of California
10	Standing Order - General (SBA) Patent Case
11	m. Order Relating Cases (Hon. Judge Vincent Chhabria)
12	n. Reassigned Case - Notice of New Hearing Date -VC
13	o. Related Case Order
14	6. The names of the three of the separately served parties were:
15	a. Kevin Spacey
16	b. Dana Brunetti
17	c. Trigger Street Productions, Inc.
18	7. The name of the parties' shared authorized service of process agent, whom I sent three
19	additional envelopes "care of", for each of the three parties listed in item 6 is Frank Selvaggi.
20	8. I served the documents to each of the separate parties, listed above, by enclosing the
21	documents in separate envelopes and giving the envelope to a U.S. Postal Service clerk at the
21	U.S. Post Office at 2585 Sebastopol Rd., Santa Rosa, California, and paying the clerk to send
22	each of the envelopes "Priority" mail, certified and with return receipt requested, to addresses that
23	are outside of California.
24	9. These six (6) individual envelopes were addressed as follows:
25	a. Kevin Spacey
26	120 W 45th St., Suite 3601
27	New York, NY 10036
28	b. Dana Brunetti

Case 3:18-cv-04952-VC Document 33-6 Filed 10/31/18 Page 3 of 3

1	200 Park Avenue South,
2	8th Floor New York, NY 10003
3	c. Trigger Street Productions, Inc.
4	120 W 45th St., Suite 3601
5	New York, NY 10036
6	d. Kevin Spacey
7	% Frank Selvaggi
8	200 Park Avenue South, 8th Floor
9	New York, NY 10003
10	e. Dana Brunetti
	% Frank Selvaggi
11	200 Park Avenue South, 8th Floor
12	New York, NY 10003
13	f Trigger Street Productions, Inc.
14	% Frank Selvaggi 200 Park Avenue South, 8th Floor
15	New York, NY 10003
16	110W 10IA, 11 1 10002
17	10. The Plaintiff in this matter, Steve Wilson Briggs, asked me to re-read and re-sign this
18	declaration, after he noticed that the previous declaration regarding the process service by mail, of
19	said documents to said parties, was not dated properly. It was dated 10/05/2018, when, in fact it
20	was signed on October 9, 2018.
21	11. I am not a professional process server.
21	12. I was not paid to serve these documents upon the parties.
22	13. I declare under penalty of perjury under the laws of the United States of America that the
23	foregoing is true and correct.
24	
25	Dated: 10/31/2018 Signed: Dr. My Muskbur saft
26	Dr. Morgan Marchbanks
27	
28	

Case 3:18-cv-04952-VC Document 32 Filed 10/31/18 Page 1 of 3

2 3 4 5	Steve Wilson Briggs 4322 Chico Ave., Santa Rosa, CA 95407 510 200 3763 snc.steve@gmail.com			
3	510 200 3763 snc.steve@gmail.com			
4	snc.steve@gmail.com			
	~ ·			
5	PLAINTIFF In Propria Persona			
1 1				
6				
7				
8	UNITED STATES DISTRICT COURT			
9	NORTHERN DISTRICT OF CALIFORNIA			
10		Civ No: 18-cv-04952-VC		
11	STEVE WILSON BRIGGS	(SECOND) PROOF OF SERVICE OF SUMMONS AND COMPLAINT		
12	Plaintiff,	DECLARATION OF		
13	vs	DR. MORGAN MARCHBANKS		
14	KEVIN SPACEY; et al			
15				
16	SECOND PROOF OF SERVICE OF	SUMMONS AND COMPLAINT		
17	DECLARATION OF DR. MORGAN MARCHBANKS			
18				
19	My name is Dr. Morgan Marchbanks and I declare the following:			
20	1. I am over 18, and not a party of this action.			
21	2. I am a resident of Sonoma County, where the mailing took place.			
21	4. My address is 346 Major Dr., Santa Rosa, CA 95403.			
22	5. On September 27th , 2018, I mailed six (6) total envelopes (three separately addressed			
23	envelopes that were mailed to three separate parties, and another three separately addressed			
24	envelopes that were mailed "care of' the parties authorized process of service agent) from the U.S.			
25	Post Office at 2585 Sebastopol Rd., Santa Rosa, California. Each of the six envelopes contained			
26	the following documents:			
27	a. Summons In A Civil Action (2)			
28	b. Complaint			

Case 3:18-cv-04952-VC Document 32 Filed 10/31/18 Page 2 of 3

1	c. Civil Cover Sheet			
2	d. Notice Of Availability Of Magistrate Judge To Exercise Jurisdiction			
3	e. Consent Or Declination To Magistrate Judge Jurisdiction			
4	f. Welcome To The Oakland Divisional Office			
5	g. ECF Registration Handout			
6	h. Proposed Order Granting Motion For Permission For Electronic Case Filing			
7	i. Order Setting Initial Case Management And ADR Deadlines			
8	j. Standing Order General (SBA)			
9	k. Standing Order For All Judges OF The Northern District Of California			
10	l. Standing Order - General (SBA) Patent Case			
11	m. Order Relating Cases (Hon. Judge Vincent Chhabria)			
12	n. Reassigned Case - Notice of New Hearing Date - VC			
13	o. Related Case Order			
14	6. The names of the three of the separately served parties were:			
15	a. Kevin Spacey			
16	b. Dana Brunetti			
17	c. Trigger Street Productions, Inc.			
18	7. The name of the parties' shared authorized service of process agent, whom I sent three			
19	additional envelopes "care of", for each of the three parties listed in item 6 is Frank Selvaggi.			
20	8. I served the documents to each of the separate parties, listed above, by enclosing the			
21	documents in separate envelopes and giving the envelope to a U.S. Postal Service clerk at the			
21	U.S. Post Office at 2585 Sebastopol Rd., Santa Rosa, California, and paying the clerk to send			
22	each of the envelopes "Priority" mail, certified and with return receipt requested, to addresses that			
23	are outside of California.			
24	9. These six (6) individual envelopes were addressed as follows:			
25	a. Kevin Spacey			
26	120 W 45th St., Suite 3601 New York, NY 10036			
27	110W 10IA; 11 1 10000			
28	b. Dana Brunetti			

Case 3:18-cv-04952-VC Document 32 Filed 10/31/18 Page 3 of 3

1	200 Park Avenue South,		
2	8th Floor New York, NY 10003		
3	c. Trigger Street Productions, Inc.		
4	120 W 45th St., Suite 3601		
5	New York, NY 10036		
6	d. Kevin Spacey		
7	% Frank Selvaggi		
8	200 Park Avenue South, 8th Floor		
9	New York, NY 10003		
10	e. Dana Brunetti		
	% Frank Selvaggi		
11	200 Park Avenue South, 8th Floor		
12	New York, NY 10003		
13	f Trigger Street Productions, Inc.		
14	% Frank Selvaggi 200 Park Avenue South, 8th Floor		
15	New York, NY 10003		
16	110W 10AA, 111 10000		
17	10. The Plaintiff in this matter, Steve Wilson Briggs, asked me to re-read and re-sign this		
18	declaration, after he noticed that the previous declaration regarding the process service by mail, of		
19	said de armonte to said morties avec not dated more arily. It was dated 10/05/2019 when in fact it		
20	was signed on October 9, 2018		
21	11. I am not a professional process server.		
21	12. I was not paid to serve these documents upon the parties.		
22	13. I declare under penalty of perjury under the laws of the United States of America that the		
23	foregoing is true and correct.		
24			
25	Dated: 10/31/2018 Signed: Dr. My Muchbur Suff		
26	Dr. Morgan Marchbanks		
27			
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Case 3:18-cv-04952-VC Document 31 Filed 10/31/18 Page 1 of 1

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

450 Golden Gate Avenue San Francisco, CA 94102

www.cand.uscourts.gov

Susan Y. Soong Clerk of Court

General Court Number 415-522-2000

October 31, 2018

RE: Briggs v. Spacey 18-cv-04952-VC

Default is declined as to Trigger Street Productions as Defendant has filed a motion to dismiss and declined as to Sound Point Capital Management, LC as service is not pursuant to CA CCP Section 416.10 on October 31, 2018.

Susan Y. Soong, Clerk

by: Felicia Brown

Case Systems Administrator

415-522-2000

Case 3:18-cv-04952-VC Document 29 Filed 10/31/18 Page 1 of 3 1 RUFUS-ISAACS ACLAND & GRANTHAM LLP ALEXANDER RUFUS-ISAACS, State Bar No. 135747 2 aisaacs@rufuslaw.com 232 N. Canon Drive Beverly Hills, California 90210 3 Telephone: (310) 274-3803 Facsimile: (310) 860-2430 4 5 Attorneys for defendant SOUND POINT CAPITAL MANAGEMENT, LC 6 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION 10 8 11 8 12 12 STEVE WILSON BRIGGS, CASE No. 3:18-cv-04952-VC UFUS-ISAACS ACLAND 90210 Related Case No. 3:17-CV-6552-VC Plaintiff. © 13 CALIFORNIA DEFENDANT SOUND POINT CAPITAL MANAGEMENT'S NOTICE OF JOINDER v. IN DEFENDANT TRIGGER STREET 14 KEVIN SPACEY; ARI (ARIEL) EMANUEL; PRODUCTIONS, INC.'S MOTION TO MATT DAMON; BEN AFFLECK; NBC DISMISS COMPLAINT PURSUANT TO BEVERLY HILLS, 15 UNIVERSAL MEDIA, LLC; SONY FED. R. CIV. P. 12(B)(6) AND/OR 9(B) PICTURES ENT INC.; TRIGGER STREET **MOTION TO DISMISS** ⁴ 16 PRODUCTIONS; NEILL BLOMKAMP; ASIF SATCHU; MORDECAI (MODI) Date: December 6, 2018 [™] 17 WICZYK; WILLIAM (BILL) BLOCK; Time: 10:00 am DANA BRUNETTI; SOUND POINT Crtrm.: 4 CAPITAL MANAGEMENT, LC; MRC (and 18 all MRC entities and subs.), Judge: Hon. Vince Chhabria 19 Defendants. 20 21 22 PLEASE TAKE NOTICE THAT Defendant Sound Point Capital Management, LC 23 ("Sound Point"), hereby joins in defendant Trigger Street Productions, Inc.'s Motion To Dismiss Complaint Pursuant To Fed. R. Civ. P. 12(B)(6) And/Or 9(B) Motion To Dismiss, and seeks 24 25 dismissal of the complaint against Sound Point for the same reasons as set forth in the motion. **26** Additionally, the motion is even stronger from Sound Point's perspective because it is barely mentioned in the Complaint. Its only appearance is in paragraph 128 of the Complaint 28 where it is alleged that "Relativity Media acquired TSP in 2016, then Relativity Media was :18-cv-04952-VC SOUND POINT CAPITAL MANAGEMENT'S NOTICE OF JOINDER IN TRIGGER STREET PRODUCTIONS'

MOTION TO DISMISS COMPLAINT PURSUANT TO FED. R. CIV. P. 12(B)(6) AND/OR 9(B)

Case 3:18-cv-04952-VC Document 29 Filed 10/31/18 Page 2 of 3

acquired by UltraV Holdings (a joint venture among funds managed by Sound Point Capital Management) in 2018, and UltraV provides no known address; Sound Point Capital Management, LC is therefore a named Defendant."

The fact that Sound Point may have acquired an interest in Relativity in 2018 does not affect the basis for Trigger Street's motion, and therefore Sound Point respectfully seeks dismissal of the Complaint for the same reasons that are set forth in Trigger Street's motion.

DATED: October 31, 2018

RUFUS-ISAACS ACLAND & GRANTHAM LLP

Meran Mhaum By:

> Alexander Rufus-Isaacs Attorneys for defendant SOUND POINT CAPITAL MANAGEMENT, LC

RUFUS-ISAACS ACLAND &

232 N. CANON DRIVE BEVERLY HILLS, CALIFORNIA 90210 14 18

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:18-cv-04952-VC SOUND POINT CAPITAL MANAGEMENT'S NOTICE OF JOINDER IN TRIGGER STREET PRODUCTIONS' MOTION TO DISMISS COMPLAINT PURSUANT TO FED. R. CIV. P. 12(B)(6) AND/OR 9(B)

RUFUS-ISAACS ACLAND & 232 N. CANON DRIVE BEVERLY HILLS, CALIFORNIA 90210 GRANTHAM LLP

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Case 3:18-cv-04952-VC Document 29 Filed 10/31/18 Page 3 of 3

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 232 N. Canon Drive, Beverly Hills, California 90210.

On October 31, 2018, I served true copies of the following document(s) described as DEFENDANT SOUND POINT CAPITAL MANAGEMENT'S NOTICE OF JOINDER IN DEFENDANT TRIGGER STREET PRODUCTIONS, INC.'S MOTION TO DISMISS COMPLAINT PURSUANT TO FED. R. CIV. P. 12(B)(6) AND/OR 9(B) MOTION TO **DISMISS** on the interested parties in this action as follows:

Steve Kenyatta Wilson Briggs 681 Edna Way San Mateo, CA 94402 Plaintiff pro se

Stephen G. Larson Jonathan E. Phillips A. Alexander Lowder LARSON O'BRIEN LLP 555 South Flower Street, Suite 4400 Los Angeles, CA 90071 Counsel for Defendant Trigger Street Productions, Inc.

BY CM/ECF NOTICE OF ELECTRONIC FILING: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on October 31, 2018, at Beverly Hills, California.

Heran Mhaun

:18-cv-04952-VC

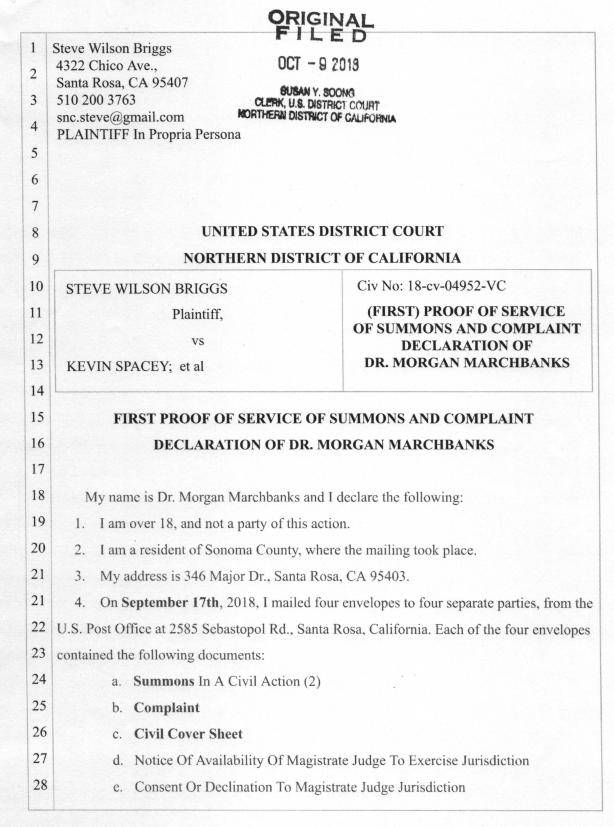
Case 3:18-cv-04952-VC Document 28 Filed 10/29/18 Page 1 of 2

1	Steve Wilson Briggs		
2	4322 Chico Ave.,		
3	Santa Rosa, CA 95407 510 200 3763 snc.steve@gmail.com PLAINTIFF In Propria Persona		
4			
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8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10	STEVE WILSON BRIGGS	Civ No: 18-cv-04952-VC	
11	Plaintiff,		
12	vs	REQUEST FOR ENTRY OF DEFAULT AGAINST DEFENDANTS TRIGGER	
13	KEVIN SPACEY, et al	STREET PRODUCTIONS, INC., AND	
14		SOUND POINT CAPITAL	
15		MANAGEMENT, LC.	
16			
17			
18 19	TO: the CLERK of the U. S. District Court Northern District Of California.		
20	Pursuant to FRCP 55(a), Plain	ntiff Steve Wilson Briggs, hereby requests that the	
21	Clerk of the United States District Court Norths	ern District Of California enter default in this matter	
21	against Defendants Trigger Street Production	s, Inc., and Sound Point Capital Management	
22	LC, on the grounds that these Defendants did r	not respond to the Complaint within the time limits	
23	prescribed by the Federal Rules of Civil Procedu	ure, Rule 55(a).	
24	The summons in this matter was issued or	on August 15, 2018.	
25	In the summons the Court gave the defer	ndants a fixed 21 days to answer.	
26	The summons and complaint were serve	ed on these Defendants on September 17, 2018.	
27	The Defendants have not answered with motion or any other responsive pleading within		
	• the time limit fixed by the court. The Defendants are not known to be in the military		

Case 3:18-cv-04952-VC Document 28 Filed 10/29/18 Page 2 of 2

1	service, as required by 50 U.S.C. app. Section 520.		
2	The Plaintiff requested a similar entry of default against several Defendants on		
3	10/25/2018. However, the Clerk's Office rightly observed that the Plaintiff had not submitted		
4	proof to the court that the Defendants had received the Summons and Complaint, in the form of		
5	signed return receipts, as required by CA CCP 417.20. Therefore, on October 29, 2018, the		
6	Plaintiff filed a new proof of serve document, captioned "Supplemental Certification Of		
7	Service: Proof Summons Was Served On Defendants Trigger Street Productions, Inc.		
8	(Tsp), And Sound Point Capital Management, On 09/17/2018; And Served On Defendants		
9	Spacey, Brunetti And Tsp, On 09/27/2018, In The Form Of Signed Return Receipts From		
10	Certified Mail Service Of Defendants; Compliant With Ccp § 417.20", this document		
11	includes copies of all signed return receipts for the 09/17, 2018 service in question. This document		
12	is further supported by a declaration verifying and supporting it, which authenticates all signed		
13	return receipts and all otherdocuments attached, signed by the process server, Dr. Morgan		
14	Marchbanks.		
15			
16	Dated: 10/29/2018 Signed: /s/ Steve Wilson Briggs		
17	Plaintiff, In Propria Persona		
18			
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Case 3:18-cv-04952-VC Document 28-1 Filed 10/29/18 Page 1 of 3



Case 3:18-cv-04952-VC Document 28-1 Filed 10/29/18 Page 2 of 3

1	f. Welcome To The Oakland Divisional Office	
2	g. ECF Registration Handout	
3	h. Proposed Order Granting Motion For Permission For Electronic Case Filing	
4	i. Order Setting Initial Case Management And ADR Deadlines	
5	j. Standing Order General (SBA)	
6	k. Standing Order For All Judges OF The Northern District Of California	
7	1. Standing Order - General (SBA) Patent Case	
8	5. The names of the four separately served parties were:	
9	a. Kevin Spacey	
10	b. Dana Brunetti	
11	c. Trigger Street Productions	
12	d. Sound Point Capital Management	
13	6. I served the documents to each of the separate parties, listed above, by enclosing the	
14	documents in separate envelopes and giving the envelope to a U.S. Postal Service clerk at	
15	the U.S. Post Office at 2585 Sebastopol Rd., Santa Rosa, California, and paying the clerk to	
16	send each of the envelopes "Priority" mail, certified and with return receipt requested, to	
17	addresses that are outside of California.	
18	7. The four individual envelopes were addressed as follows:	
19	1. Trigger Street Productions	
20	200 Park Avenue South, 8th Floor	
21	New York, NY 10003	
21	2. Kevin Spacey	
22	200 Park Avenue South, 8th Floor	
23	New York, NY 10003	
24	3. Sound Point Capital Management	
25	375 Park Avenue, 33rd Floor	
26	New York, NY 10152	
27	4. Dana Brunetti	
28	% Cavalry Media	
	•	

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200 Park Avenue South, 8th Floor		
New York, NY 10003		
8. I am not a professional process server.		
9. I was not paid to serve these documents upon the parties.		
10. I declare under penalty of perjury under the laws of the United States of America that		
the foregoing is true and correct.		
Dated: 10/05/2018 Signed: My morele En		
Dr. Morgan Marchbanks		

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1	Steve Wilson Briggs			
2	4322 Chico Ave.,			
3	Santa Rosa, CA 95407 510 200 3763 snc.steve@gmail.com			
4				
5	PLAINTIFF In Propria Persona			
6				
7				
8	UNITED STATE	S DISTRICT COURT		
9	NORTHERN DIST	RICT OF CALIFORNIA		
10				
11		Civ No: 18-cv-04952-VC		
12		SUPPLEMENTAL CERTIFICATION OF		
13		SERVICE: PROOF SUMMONS WAS SERVED ON DEFENDANTS TRIGGER		
14	STEVE WILSON BRIGGS	STREET PRODUCTIONS, INC. (TSP),		
15	Plaintiff,	AND SOUND POINT CAPITAL MANAGEMENT, ON 09/17/2018; AND		
16	VS	SERVED ON DEFENDANTS SPACEY,		
17	KEVIN SPACEY; et al	BRUNETTI AND TSP, ON 09/27/2018, IN THE FORM OF SIGNED RETURN		
18	,	RECEIPTS FROM CERTIFIED MAIL		
19		SERVICE OF DEFENDANTS;		
20		COMPLIANT WITH CCP § 417.20		
21	·	TIFICATION OF SERVICE:		
21		ON DEFENDANTS TRIGGER STREET IND POINT CAPITAL MANAGEMENT, ON		
22	09/17/2018; AND SERVED ON DEFENI	DANTS SPACEY, BRUNETTI AND TSP, ON		
23		O RETURN RECEIPTS FROM CERTIFIED TS; COMPLIANT WITH CCP § 417.20		
24	On October 25, 2018, the Plaintiff submitted to the Clerk a Request For Entry Of Default;			
25	however, the Plaintiff neglected to submit to this Court a copy of the signed return receipts to verify			
26	that service was executed on these out-of-state Defendants, in compliance with CCP § 417.20.			
27	Therefore the Request was denied. The Plair	ntiff apologizes for any wasted time and energy this		
28	oversight may have caused the Court, the Clerk, or the Clerk's office.			

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1	This filing is to verify for the Court that all out-of-state parties have been served in
2	compliance with § 417.20. Since serving the out-of-state Defendants required two separate
3	service efforts (one on September 17, 2018, the other on September 27, 2018), the details and
4	supplemental proof of service (signed return receipts) are provided under two separate headings.
5	
6	PROOF FROM 09/17/2018 SERVICE OF PROCESS:
7	Signed Return Receipts From TSP & Soundpoint
8	On September 17, 2018, Morgan Marchbanks served out-of-state Defendants Kevin
9	Spacey, Dana Brunetti, Trigger Street Productions, Inc., and Sound Point Capital
10	Management, by sending the summons, complaint and other legal documents via the United
11	States Postal Service, certified mail, with return receipt requested, as required for service of
12	process for out of state Defendants. Dr. Marchbanks signed a declaration outlining the details of
13	this service of these Defendants, which the Plaintiff subsequently submitted to the Court.
14	Approximately a week after Dr. Marchbanks' 09/17/2018 service via mail, Defendants
15	Trigger Street Productions, Inc.'s (TSP) and Sound Point Capital Management's signed return
16	receipts arrived in the mail. [See Exhibit A, the signed certified mail return receipts, as required by
17	CA CCP SECTION 417.20; and [See Exhibit B, the reverse side of same signed return
18	receipts]. Although Defendants Spacey and Brunetti (or their agent) did not respond to Dr.
19	Morgan Marchbanks on this particular service attempt (09/17/2018), they would, however,
20	respond to her second service of process attempt, made on September 27, 2018.
21	The Certified Mail Receipts for these four service parcels is attached a Exhibit C.
21	
22	PROOF FROM 09/27/2018 SERVICE OF PROCESS:
23	Signed Return Receipts From Defs Spacey, Brunetti & Sound Point Capital
24	On September 27, 2018, Dr. Morgan Marchbanks once again served out-of-state
25	Defendants Kevin Spacey, Dana Brunetti and Trigger Street Productions, Inc. Since the
26	Plaintiff was concerned about the Defendants many rumoured, purported and registered
27	addresses, and the possibility the Defendants might attempt somehow to deny valid service, the

28 Plaintiff resolved to serve these three Defendants at least two more times and ways, on their most

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1	credible out-of-state address(s). Thus the Plaintiff asked Dr. Marchbanks to send two envelopes		
2	containing summons, complaint, etc., to the Defendants' address(s), or their agent's address(s),		
3	specified in Dr. Marchbanks service of process declaration, and via the United States Postal		
4	Service, certified mail, with return receipt requested, as required under CCP 415.20 for service of		
5	process for out of state Defendants. Approximately a week after Dr. Marchbanks' 09/27/2018		
6	service via mail, Defendants Kevin Spacey's, Dana Brunetti's and TSP's signed return receipts		
7	arrived in the mail. [See Exhibit D, signed certified mail return receipts for Spacey, Bruneti, and		
8	TSP, as required by CA CCP SECTION 417.20]; and [See Exhibit E, the reverse side of same		
9	signed return receipts]. A second return receipt came for Defendant Brunetti, and an unsigned but		
10	returned receipt also came for Defendant Spacey. [See Exhibits F and G, signed front, and back,		
11	respectively]. All of the return receipts sent % these Defendants' registered agent were signed and		
12	returned.		
13	The Certified Mail Receipts for these four service parcels is attached a Exhibit H.		
14	Note:		
15	The Court should observe that the numbers printed on the left base of the signed face of the		
16	return receipts, and the numbers printed horizontally on the left edge of the Certified Mail Receipts,		
17	precisely conform to the numbers printed horizontally on the left edge of the Certified Mail		
18	Receipts attached to the respective declarations of Morgan Marchbanks.		
19			
20	Dated: 10/29/2018 Signed: /s/ Steve Wilson Briggs		
21	Plaintiff, In Propria Persona		
21			
22			
23			
24			
25			
26			
27			
28			
1			

3 SUPPLEMENTAL PROOF OF SERVICE

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EXHIBIT

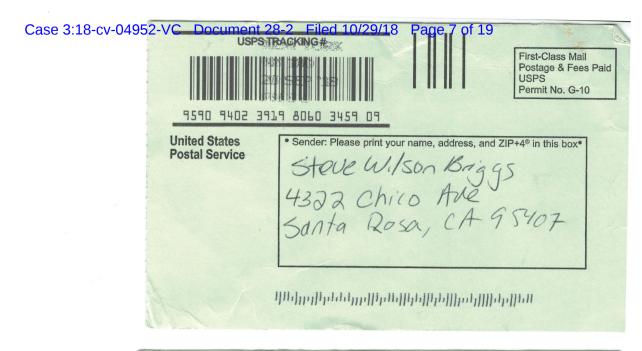


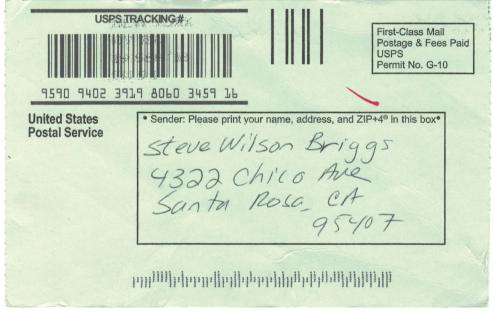
Case 3:18-cv-04952		Davis E of the
Case 3.10-CV-04932	SENDER: COMPLETE THIS SECTION ED 25 LD	COMPLETE THIS SECTION ON DELIVERY
	Complete items 1, 2, and 3.	A. Signature
	■ Print your name and address on the reverse	Address Address
	so that we can return the card to you.	B. Received by (Printed Name) \(\) C. Date of Deli
	Attach this card to the back of the mailpiece, or on the front if space permits.	1 5 19 19 19
	Article Addressed to:	D. Is delivery address different from item 1? Yes
	Trigger Street Prods	If YES, enter delivery address below: ☐ No
	200 Park Ave South	
	NY NY 10002 Floor	
		3. Service Type ☐ Priority Mail Express
		☐ Adult Signature ☐ Registered Mail™ ☐ Adult Signature Restricted Delivery ☐ Registered Mail Rest
	9590 9402 3919 8060 3459 09	☐ Certified Mail® Delivery ☐ Certified Mail Restricted Delivery ☐ Return Receipt for
	2. Article Number (Transfer from service label)	☐ Collect on Delivery Merchandise ☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation
	7018 0360 0002 1269 7255	ed Mail ed Mail Restricted Delivery Signature Confirmation Restricted Delivery
	PS Form 3811, July 2015 PSN 7530-02-000-9053	(over \$500)
	PS FORM 30 11, July 2013 PSN 7530-02-000-9053	Domestic Return Rece
	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
	SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3.	A. Signature
	■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse	A. Signature
	■ Complete items 1, 2, and 3.	A. Signature
	 Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X
	 Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, 	A. Signature X
	 Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X
	 Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X
	 Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X
	 Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X
	■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: Courd Point Capital Minageneral Street Park Nenue, 33rd Floor New York NY 10152	A. Signature X
	 Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: Courd Point Capital Munagane 315 Park Nenue 33rd Floor New York NY 10152 	A. Signature X
	■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: Sound Point Capita/ Minagene 3 15 Park Arenue, 3 3rd Floor New York NY 10152	A. Signature X
	■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: Courd Point Capita/ Munagane 375 Park Arenue 33rol Floor New York NY 10152 10152	A. Signature X
	■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: Sound Point Capital Munagan. 3 15 Park Arenue, 3 3 rol Floor New York NY 10152 ■ 9590 9402 3919 8060 3459 16 2. Article Number (Transfer from service label)	A. Signature X
	■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: Courd Point Capita/ Munagane 375 Park Arenue 33rol Floor New York NY 10152 10152	A. Signature X

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EXHIBIT

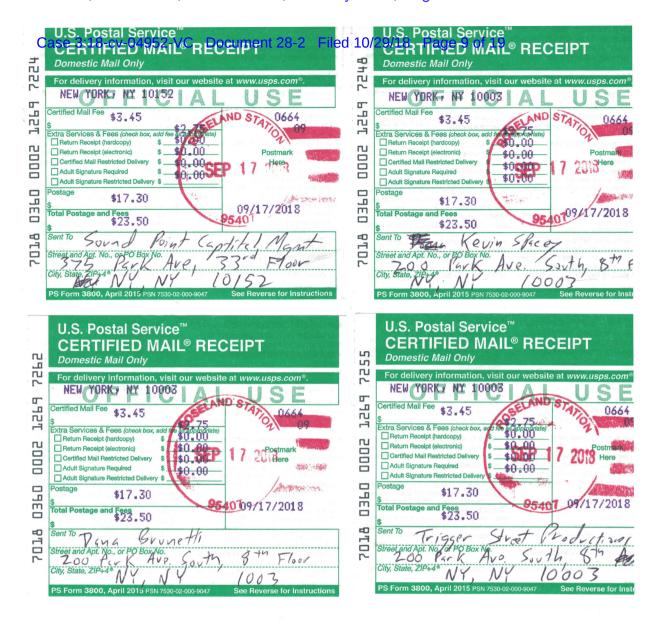
В





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EXHIBIT



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EXHIBIT

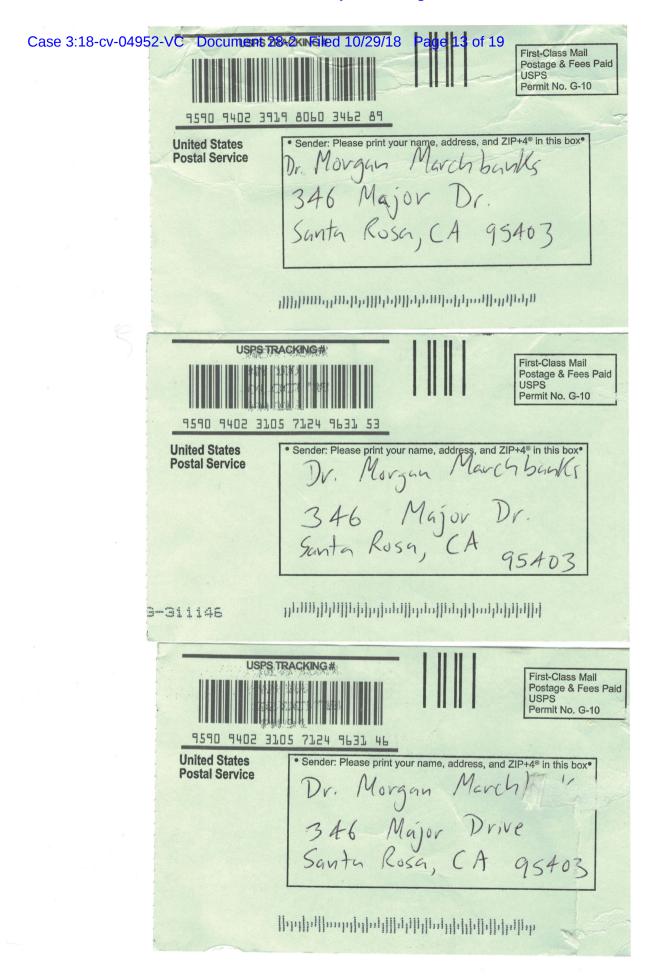
D

Case 3:18-cv-0	04952-VC Document 28-2 Filed 10	/29/18 Page 11 of 19	
	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON	DELIVERY
	Complete items 1, 2, and 3.	A. Signature	
	■ Print your name and address on the reverse	x/2	☐ Agent☐ Addressee
	so that we can return the card to you. Attach this card to the back of the mailpiece,	B. Received by (Printed Name)	C. Date of Delivery
	or on the front if space permits.	1 Savier Buendla	101118
	1. Article Addressed to:	D. Is delivery address different from If YES, enter delivery address	
	Kevin Spacey	I 120, onto donvery address	
	46 Frank Selvaggi		
	200 Park Ave South		
	8th Floor		
	NY NY 10003	3. Service Type	☐ Priority Mail Express®
		☐ Adult Signature ☐ Adult Signature Restricted Delivery	☐ Registered Mail TM ☐ Registered Mail Restricted
	9590 9402 3919 8060 3462 89	☐ Certified Mail® ☐ Certified Mail Restricted Delivery	Delivery □ Return Receipt for
	2. Article Number (Transfer from service label)	☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery	Merchandise
	7018 0360 0002 1269 6258	Insured Mail Insured Mail Restricted Delivery	☐ Signature Confirmation Restricted Delivery
	DO Farre 2011 Like 2015 DON TEOR OF CORP.	(over \$500)	Demontis Datum Bassish
4	PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt
	NDED, COMPLETE THE SECTION	COMPLETE THIS SECTION ON	DELIVERY
	SENDER: COMPLETE THIS SECTION		DELIVENT
	Complete items 1, 2, and 3. Print your name and address on the reverse	A. Signature	☐ Agent
	so that we can return the card to you.	Apr high	☐ Addressee
	Attach this card to the back of the mailpiece,	Received by (Printed Name)	C. Date of Delivery
	or on the front if space permits. 1. Article Addressed to:	D. Is delivery address different from	n item 1? Yes
	Dana Brunetti	If YES, enter delivery address	
	Go Frank Selvaggi		
	- : : : : : : : : : : : : : : : : : : :		
	200 Park Ave South		
	New York, NY 10003		
	New York, NY 10063	3. Service Type	☐ Priority Mail Express®
		☐ Adult Signature ☐ Adult Signature Restricted Delivery	☐ Registered Mail Restricted ☐ Registered Mail Restricted Delivery
	9590 9402 3105 7124 9631 53	☐ Certified Mail® ☐ Certified Mail Restricted Delivery	Return Receipt for Merchandise
	2. Article Number (Transfer from service label)	☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery	☐ Signature Confirmation™☐ Signature Confirmation
	2019 03PO 0005 J5Pd P5TO	sured Mail sured Mail Restricted Delivery Jer \$500)	Restricted Delivery
	PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt
	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON D	ELIVERY
	Complete items 1, 2, and 3.	A. Signature	
	Print your name and address on the reverse	X VIII	/ 🗆 Agent
	so that we can return the card to you.	B. Received by (Printed Name)	C. Date of Delivery
	Attach this card to the back of the mailpiece, or on the front if space permits.	B. Heceived by (Finited Warne)	O. Bate of Benvery
	1. Article Addressed to:	D. Is delivery address different from	
	Trigger Street Prods Inc.	If YES, enter delivery address be	elow: 🗆 No
	WE V Colyppia		
	40 Frank Selvaggi		
	200 Park Ave South		
	New York, NY 10034		
	10034	☐ Adult Signature	☐ Priority Mail Express® ☐ Registered Mail™
		☐ Adult Signature Restricted Delivery ☐ Certified Mail®	Registered Mail Restricted Delivery
	9590 9402 3105 7124 9631 46	☐ Certified Mail Restricted Delivery ☐ Collect on Delivery	Return Receipt for Merchandise
	2. Attack trained (warder non-solving land)	red Mail	☐ Signature Confirmation ☐ Signature Confirmation
	\nTo \n200 0005 ===	red Mail Restricted Delivery (over \$500)	Restricted Delivery
-	PS Form 3811, July 2015 PSN 7530-02-000-9053	De De	mestic Return Receipt

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EXHIBIT

E



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EXHIBIT



Case 3:18-cv-04952-\	C Document 29.2 Filed 10/20/10	Page 15 of 10
	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
	Complete items 1, 2, and 3.	A. Signature
	Print your name and address on the reverse so that we can return the card to you.	Addr
	Attach this card to the back of the mailpiece, or on the front if space permits.	Received by (Printed Name) C. Date of De
	1. Article Addressed to:	D. Is delivery address different from item 1? Yes
	Pana Brunetti	If YES, enter delivery address below: No
	200 Park Ave South	
	New York, NY 10003	
		3. Service Type ☐ Priority Mail Expre: ☐ Adult Signature ☐ Registered Mail™
	9590 9402 3919 8060 3462 96	☐ Adult Signature Restricted Delivery ☐ Certified Mail® Delivery ☐ Certified Mail Restricted Delivery ☐ Registered Mail Replivery ☐ Return Receipt for
		☐ Collect on Delivery Merchandise
	7018 0360 0002 1269 6241	Collect on Delivery Restricted Delivery Insured Mail Insured Mail Restricted Delivery (over \$500) Signature Confirm Restricted Delivery
	PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Re
	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
	Complete items 1, 2, and 3.	A. Signature
	Print your name and address on the reverse so that we can return the card to you.	X □ Ager
	Attach this card to the back of the maileine	B. Received by (Printed A)
	or on the front if space permits. 1. Article Addressed to:	
	Kevin Spacey	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
	120 W 45 fg 57.	
	New York, NY 10031	
	10036	3. Service Type
	0500 0400 0400	☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Registered Mail™ ☐ Registered Mail Resi
	9590 9402 3105 7124 9631 60	☐ Certified Mail Restricted Delivery ☐ Return Receipt for
· ·	7018 0360 0002 1269 6203	Collect on Delivery Restricted Delivery Signature Confirmation
3	0005 11501 6503	
(PS Form 3811, July 2015 PSN 7530-02-000-9053	Insured Mail Restricted Delivery (over \$500) Signature Confirmating Restricted Delivery Domestic Return Receivery

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EXHIBIT



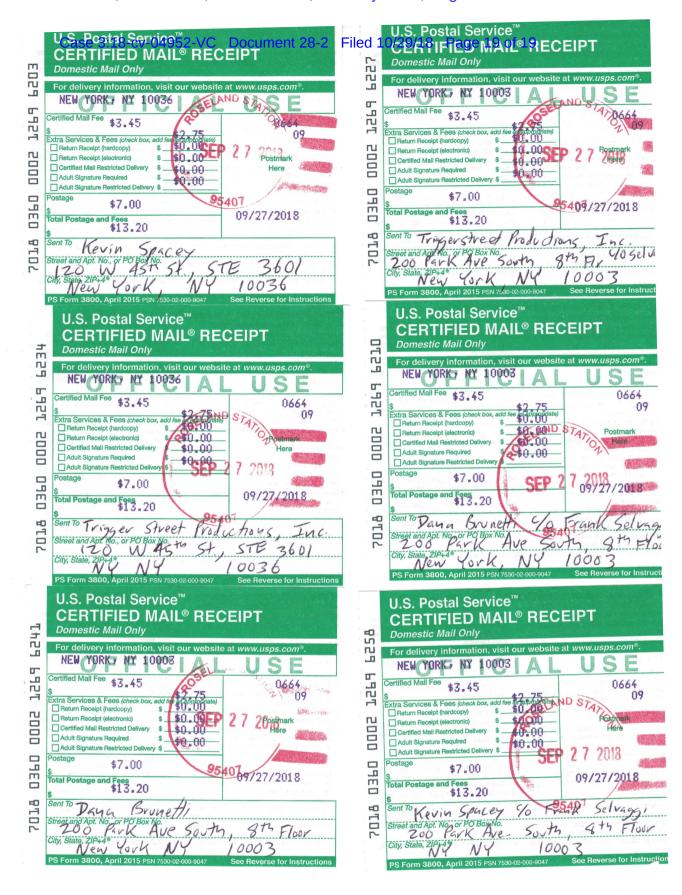
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EXHIBIT

G



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1 2 3 4 5	Steve Wilson Briggs 4322 Chico Ave., Santa Rosa, CA 95407 510 200 3763 snc.steve@gmail.com PLAINTIFF In Propria Persona	
6		
7		
8		DISTRICT COURT
9	NORTHERN DISTR	ICT OF CALIFORNIA
10		
11		Civ No: 18-cv-04952-VC
12	STEVE WILSON BRIGGS	DECLARATION OF DR. MORGAN
13	Plaintiff,	MARCHBANKS, IN VERIFICATION AND SUPPORT OF PLAINTIFF'S
14	vs	SUPPLEMENTAL PROOF OF SERVICE
15	KEVIN SPACEY; et al	FILING
16	5	
17		
18	DECLARATION OF DR. MORGAN M	ARCHBANKS, IN VERIFICATION AND
19	SUPPORT OF PLAINTIFF'S SUPPLEM	MENTAL PROOF OF SERVICE FILING
20		
21	My name is Dr. Morgan Marchbanks and	I declare the following:
21	I am over 18, and not a party of this act	ion.
22	I am a resident of Sonoma County, whe	re the mailing took place.
23	My address is 346 Major Dr., Santa Ro	osa, CA 95403.
24	On September 17th, 2018, I sent four	envelopes containing summons, complaint, etc.,
25	via USPS certified mail, with return receipt reque	ested, to the Defendants in the matter of Briggs v
26	Spacey et al, named Kevin Spacey, Dana Bru	netti, Trigger Street Productions, Inc., and
27	Sound Point Capital Management. Then aga	nin, ten Days later, on September 27, 2018, I sent
28	six more envelopes containing summons compla	int, etc., via USPS certified mail, with return

1

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1	receipt requested, to Defendants in this matter named Kevin Spacey, Dana Brunetti, and Trigger
2	Street Productions, Inc. The address that I sent these certified parcels to are detailed in my two
3	previous service declarations in this matter.
4	I have reviewed the document(s) that I am told that the Plaintiff in this matter, Steve Wilson
5	Briggs, submitted to the Court on October 29, 2018, entitled: "Supplemental Certification Of
6	Service: Proof Summons Was Served On Defendants Trigger Street Productions, Inc.
7	(TSP), And Sound Point Capital Management, On 09/17/2018; And Served On
8	Defendants Spacey, Brunetti And TSP, On 09/27/2018, In The Form Of Signed Return
9	Receipts From Certified Mail Service Of Defendants; Compliant With Ccp § 417.20."
10	I hereby verify that all of the details in that document (named in bold print above),
11	concerning my service of the Defendants, to be completely accurate with my recollection of events
12	and consistent with the declarations that I signed previously in this matter.
13	Additionally, I reviewed the exhibit attachments attached to that document (named in bold
14	print above), and I hereby verify that all of the exhibit attachments (which are signed return receipts
15	for service, and certified mail receipts) are the same return receipts that I prepared with the $USPS$
16	postal clerk on September 17, 2018, and/or are the same return receipts that Mr. Briggs pre-filed $$
17	for me to deliver to the US post office on September 27, 2018, to attach to the parcels at the US $$
18	post office, and which were subsequently signed by the Defendants or their agents, and returned,
19	via USPS mail, to my address, which I later returned to Mr. Briggs.
20	I declare under penalty of perjury under the laws of the United States of America that the
21	foregoing is true and correct.
21	
22	Dated: 10/29/2018 Signed Muldball Signed
23	Dr. Morgan Marchbanks
24	
25	
26	
27	
28	

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1	Steve Wilson Briggs		
2	4322 Chico Ave.,		
3	Santa Rosa, CA 95407 510 200 3763		
4	snc.steve@gmail.com		
5	PLAINTIFF In Propria Persona		
6			
7			
8	UNITED STATI	ES DISTRICT COURT	
9	NORTHERN DIST	TRICT OF CALIFORNIA	
10		Civ No: 18-cv-04952-VC	
11	STEVE WILSON BRIGGS	CERTIFICATION OF SERVICE	
12	Plaintiff,	OF "REQUEST FOR ENTRY OF DEFAULT"	
13	VS	AND DECLARATION OF	
14	KEVIN SPACEY; et al	CECILE LUSBY	
15			
16			
17			
18	CERTIFICATION OF SERVICE OF	"REQUEST FOR ENTRY OF DEFAULT"	
19	AND DECLARATION OF CECILE LUSBY		
20			
21	My name is Cecile Lusby, and I declare	the following:	
21	1. I am over 18, and not a party of this a	action.	
22	2. I am a resident of Sonoma County, where the mailing took place.		
23	4. My address is 4322 Chico Avenue, Santa Rosa, CA 95407.		
24	5. On October 29, 2018, I deposited two envelopes containing a "Request for Entry of		
25	Default" in the mail drop box at the U.S. Pos	t Office at 2585 Sebastopol Rd., Santa Rosa,	
	California.		
26	Camorna.		
26 27		ager Street Productions, Inc., and to Sound Point	

1

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1 2	a. Trigger Street Productions, Inc.% Frank Selvaggi200 Park Avenue South, 8th FloorNew York, NY 10003
3	and
4	b. Sound Point Capital Management
5	375 Park Avenue, 33rd Floor New York, NY 10152
6	New York, NY 10132
7	8. I served the documents to each of the separate parties, listed above, by enclosing the
8	documents in separate envelopes, with prepaid first-class postage affixed, then depositing the
9	envelopes in the mail drop box of the U.S. Post Office at 2585 Sebastopol Rd., Santa Rosa,
10	California, on October 29, 2018.
11	10. I declare under penalty of perjury under the laws of the United States of America that the
12	foregoing is true and correct.
13	
14	Dated: 10/29/2018 Signed: Carille Lusly
15	Cecile Lusby
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	

Case 3:18-cv-04952-VC Document 28-5 Filed 10/29/18 Page 1 of 1

Steve Wilson Briggs 4322 Chico Ave., Santa Rosa, CA 95407 510 200 3763 snc.steve@gmail.com PLAINTIFF In Propria Persona		
UNITED STATES	DISTRICT COURT	
NORTHERN DISTRI	CT OF CALIFORNIA	
STEVE WILSON BRIGGS	Civ No: 18-cv-04952-VC	
Plaintiff,	[PROPOSED] ENTRY OF DEFAULT	
VS	[
KEVIN SPACEY, et al		
[PROPOSED] ENTRY OF DEFAULT		
Disintiff Starra Wilson Duigon manus	ate that the Clark of Court outer default assist	
defendants Trigger Street Productions, Inc., and Sound Point Capital Management, LC, pursuant		
to Federal Rule of Civil Procedure 55(a). As it appears from the record that said defendants have failed to appear, plead or otherwise defend within the specified time limits, the default of		
defendants Trigger Street Productions, Inc, and Sound Point Capital Management is hereby		
entered, pursuant to Federal Rule of Civil Procedure 55(a).		
Dated this day of, 2018.		
Susan	Y. Soong, Clerk of Court	
	4322 Chico Ave., Santa Rosa, CA 95407 510 200 3763 snc.steve@gmail.com PLAINTIFF In Propria Persona UNITED STATES IN NORTHERN DISTRIAL STEVE WILSON BRIGGS Plaintiff, vs KEVIN SPACEY, et al [PROPOSED] ENT Plaintiff, Steve Wilson Briggs, requented effendants Trigger Street Productions, Inc., and to Federal Rule of Civil Procedure 55(a). As it at a failed to appear, plead or otherwise defend defendants Trigger Street Productions, Inc., and the step of the state of the s	

1 [PROPOSED] ENTRY OF DEFAULT

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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Stephen G. Larson (SBN 145225) slarson@larsonobrienlaw.com Jonathan E. Phillips (SBN 233965) jphillips@larsonobrienlaw.com A. Alexander Lowder (SBN 269362) sbledsoe@larsonobrienlaw.com LARSON O'BRIEN LLP 555 South Flower Street, Suite 4400 Los Angeles, CA 90071 Telephone: 213.436.4888 Facsimile: 213.623.2000 Attorneys for TRIGGER STREET PRODUCTIONS, INC. UNITED STATES D NORTHERN DISTRIC STEVE WILSON BRIGGS, Plaintiffs, v. KEVIN SPACEY; ARI (ARIEL); EMANUEL; MATT DAMON; BEN AFFLECK; NBC UNIVERSAL MEDIA, LLC; SONY PICTURES ENT INC.; TRIGGER STREET PRODUCTIONS; NEILL BLOMKAMP; ASIF SATCHU; MORDECAI (MODI) WICZYK; WILLIAM (BILL) BLOCK; DANA BURNETTI; SOUND POINT CAPITAL MANAGEMENT, LC; MRC (and all MRC entities and subs.), Defendants.	
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		CASE NO: 3:18-CV-04952-VC MOTION TO DISMISS COMPLAINT

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TO ALL PARTIES AND THEIR COUNSEL OF RECORD: 1 PLEASE TAKE NOTICE that on December 6, 2018, at 10:00 a.m., or as 2 soon thereafter as the matter can be heard in Courtroom No. 4 of the above entitled 3 Court, located at 450 Golden Gate Avenue, San Francisco, CA 94102, before the 4 Honorable Vincent Chhabria, Defendant Trigger Street Productions, Inc. ("Trigger 5 Street") will and hereby does move this Court for an order dismissing each and 6 every cause of action against it in the Complaint—the First through Eleventh 7 Causes of Action. 8 9 This motion is made pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure and seeks dismissal on the following bases: (1) the claims 10 against Trigger Street are all time-barred; (2) the claims against Trigger Street are 11 barred by the doctrine of collateral estoppel; and/or (3) the claims against Trigger 12 Street fail to state a claim upon which relief can be granted. 13 This motion is based on this notice of motion, the memorandum of points 14 and authorities attached hereto, the Declaration of A. Alexander Lowder filed 15 concurrently herewith, the Request for Judicial Notice filed concurrently herewith, 16 the pleadings and records on file with this Court, and on such oral argument as 17 may be presented at the hearing of this motion. 18 19 20 Dated: October 29, 2018 LARSON O'BRIEN LLP 21 22 By: /s/ Stephen G. Larson 23 Stephen G. Larson Jonathan E. Phillips 24 A. Alexander Lowder Attorneys for TRIGGER STREET 25 PRODÚCTIONS, INC.

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MEMORANDUM OF POINTS AND AUTHORITIES

I. <u>INTRODUCTION</u>

This lawsuit arises out of Plaintiff Steve Wilson Briggs's ("Plaintiff" or "Briggs") stubborn and mistaken belief that the film *Elysium* infringed on his copyrighted work, the screen play entitled Butterfly Driver. This is Briggs's third attempt to prosecute his illusory claim that someone stole his idea, and it must suffer the same fate as Briggs's two previous lawsuits—dismissal. Defendant Trigger Street Productions, Inc. ("Trigger Street") moves to dismiss each and every claim for relief alleged against it because they fail to state a claim upon which relief may be granted. Indeed, the Complaints suffer from a myriad of fatal flaws that warrant dismissal of this lawsuit in its entirety, without leave to amend.

First and foremost, each and every claim for relief is time-barred. Briggs's allegations against Trigger Street involve conduct from over a decade ago, and he alleges no basis—nor could he—for tolling the long-expired statutes of limitation. Second, the doctrine of collateral estoppel prevents Briggs from satisfying an essential element of his claim. Briggs already litigated his only alleged damage—an essential element of each of his claims—and lost, both before the trial court and on appeal. Third, Briggs failed to properly plead essential elements to several of his claims. Finally, at least two of Briggs's causes of action are not causes of action at all, but rather a theory of recovery (conspiracy) and a discovery dispute (spoliation) that at best would become relevant if Briggs could assert a valid substantive claim—which he cannot.

These are only a few of the many flaws and defects in Briggs's rambling, largely irrelevant, and entirely improper Complaint. On account of these numerous fatal flaws, not only has Briggs failed to state a claim at this time, any amendment would be futile. As such, Trigger Street respectfully requests that the Court grant this motion, in its entirety, and issue an order dismissing each and every claim against Trigger Street with prejudice.

II. <u>FACTUAL ALLEGATIONS</u>¹

Briggs alleges that "TriggerStreet.com was founded in January 2002 as the web-based filmmaker and screenwriter's community of record." (Compl., Ex. B.) Then, in November 2002, Defendant Kevin Spacey ("Spacey") attended launch parties for the website in Los Angeles, New York, and London. (Compl., ¶¶ 101, 104, 105, 106, and 107.) While in London, Spacey also did interviews about TriggerStreet.com. (*Id.*)

Briggs further alleges that he was a member of TriggerStreet.com from 2006 to 2014. (Compl., ¶¶ 3, 23.) Briggs agreed to TriggerStreet.com's *Terms of Use* and other agreements when he joined the website. (Compl., ¶ 207.) Indeed, Briggs attached copies of the Website's *Terms of Use*, *About Us*, and *Security* sections to the Complaint as Exhibits A, B, and C, and he expressly incorporated them by reference therein. (Compl., ¶¶ 26, 118.) Briggs allegedly posted his screenplay, Butterfly Driver, to TriggerStreet.com "3-6 times from January to August of 2007," before permanently removing the screenplay from the website in August 2007. (Compl., ¶ 116; Ex. E.)

Briggs alleges that Spacey violated TriggerStreet.com's *Terms of Use*, when he "travel[ed] to Spain for a film festival, in 2009, where he gave a speech and boasted of TS's '400,000 members around the world." (Compl., ¶ 24.) In reality, however, TriggerStreet.com's *Terms of Use* advised members that the website's content could be accessed from locations outside the United States, and informed members that it was their obligation to ensure their use of the site complied with local laws. (Compl., Ex. A at 28.)

In October 2013, because Briggs believed the film *Elysium*, released in

¹ Due to the haphazard and conclusory nature of the allegations in the Complaint, Trigger Street has limited its recitation of the Complaint's allegations to only those that are relevant to the challenges Trigger Street raises in the Motion.

² In or about July 2011, the web address for TriggerStreet.com changed from www.triggerstreet.com to www.labs.triggerstreet.com. (Compl., ¶ 23.)

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1	August 2013, was "an infringement on his work, [he] sued for copyright
2	infringement" in Briggs v. Blomkamp, et al, No. CV 13-4679 (Briggs I). (Compl.,
3	¶ 121; RJN, Ex. A.)
4	On or about April 15, 2015, while Briggs was litigating his copyright claims
5	in Briggs I, Briggs wrote to TriggerStreet.com to request "all records of every
6	member who accessed [his] work during the timeframe (01/01/2007 to
7	08/31/2007)." (Compl. ¶ 30; Ex. E.) The same day, April 15, TriggerStreet.com
8	responded and advised Briggs "once your submission is deleted from the site all
9	records are deleted as well." (Compl., Ex. F.) Briggs's email and
10	TriggerStreet.com's response are attached to the Complaint as Exhibits E and F,
11	and expressly incorporated by reference therein. (Compl., ¶ 30.) In 2014,
12	TriggerStreet.com posted an announcement on its site that it would be shutting
13	down. (Compl., Ex. D at 3.)
14	Briggs alleges that the "Defendants' grossly negligent culture and practices
15	inevitably led to the misappropriation of [Briggs's] intellectual property, and led
16	Defendant Sony Pictures to purchase the infringing film, <i>Elysium</i> , without first
17	reading Defendant (Def) Blomkamp's screenplay." (Compl. ¶ 33.) Briggs asserts
18	that the "Defendants' final illegal action occurred on Nov 6th, 2014 when Defs
19	surreptitiously closed [TriggerStreet.com]." (Compl., ¶ 38.) Because Defendants
20	Kevin Spacey and Dana Brunetti are the founder of the website and its CEO,
21	Briggs alleges that Trigger Street "is complicit in all of Defs Spacey's and
22	Brunetti's violations, detailed herein." (Compl. ¶ 128.)
23	III. <u>RELATED LAWSUITS</u>
24	A. <u>Briggs I</u>
25	On or about October 8, 2013, Briggs filed the initial complaint in <i>Briggs I</i> .
26	(RJN, Ex. 1 (docket).) Briggs named Neill Blomkamp, Sony Pictures
27	Entertainment, Inc., TriStar Pictures, Inc., Media Rights Capital, and QED
28	International as defendants. (RJN, Ex. 2 (Briggs I Complaint).) The Briggs I

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complaint asserted a single claim for copyright infringement, alleging that the defendants' "film (and screenplay) 'Elysium', infringes on [Briggs's] copyright of his original screenplay, Butterfly Driver." (RJN, Ex. 2 (*Briggs I* Complaint).)

On or about October 3, 2014, Judge Hamilton granted the defendants' motion for summary judgment, finding that Briggs failed to offer *any* evidence of infringement. *Briggs v. Blomkamp*, 70 F.Supp.3d 1155 (N.D. Cal. 2014). On February 28, 2018, the Ninth Circuit affirmed Judge Hamilton's order granting the defendants' motion for summary judgment. *Briggs v. Sony Pictures Entertainment, Inc.*, 714 Fed.Appx. 712 (9th Cir. 2018). The Supreme Court denied Briggs's petition for writ of certiorari on October 1, 2018. *Briggs v. Sony Pictures*, *et al*, 2018 WL 339164 (S. Ct. Oct. 1, 2018).

B. Briggs II

On or about November 13, 2017—while his appeal of *Briggs I* was still pending before the Ninth Circuit—Briggs filed *Briggs v. Universal Pictures, et al*, No. 3:17-cv-06552-VC (*Briggs II*), asserting fourteen claims and naming twenty-three defendants. (RJN, Ex. 3 (*Briggs II* Docket.)). Many of the defendants named in the *Briggs II* complaint are also named in the instant lawsuit. (*Id.*, Ex. 4 (Complaint in *Briggs II*).) Briggs also asserted many of the same causes of action asserted here. (*Id.*) Briggs filed an amended complaint in *Briggs II* on January 2, 2018, removing certain claims and adding claims for copyright infringement. (RJN, Ex. 5 (FAC in *Briggs II*).)

On April 25, 2018, this Court dismissed $Briggs\ II$ without prejudice. (Id., Ex. 6. (Dismissal in $Briggs\ II$).) Briggs admits that the instant lawsuit involves the same claims alleged in $Briggs\ II$. (Compl., \P 1.) Specifically, the common claims between $Briggs\ II$ and this lawsuit are: (1) civil conspiracy, (2) breach of contract, (3) fraud, (4) fraudulent deceit, (5) fraudulent concealment, (6) negligence, (7) gross negligence, (8) spoliation, (9) infringing exploitation, and (10) copyright infringement.

IV. <u>LEGAL STANDARD</u>

Under Federal Rule of Civil Procedure 12(b)(6), a party may bring a motion to dismiss for failure to state a claim upon which relief can be granted. When evaluating a Rule 12(b)(6) motion, a court must accept all material allegations in the complaint—as well as any reasonable inferences to be drawn from them—as true and construe them in the light most favorable to the non-moving party. *See Doe v. United States*, 419 F.3d 1058, 1062 (9th Cir. 2005).

"While a complaint attacked by a Rule 12(b)(6) motion to dismiss does not need detailed factual allegations, a plaintiff's obligation to provide the 'grounds' of his 'entitlement to relief' requires more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555, 127 S.Ct. 1955, 167 L.Ed.2d 929 (2007) (citations omitted). Rather, the allegations in the complaint "must be enough to raise a right to relief above the speculative level." *Id.* at 545. "Nor does a complaint suffice if it tenders 'naked assertion[s]' devoid of 'further factual enhancement." *Ashcroft v. Iqbal*, 556 U.S. 662, 678, 129 S. Ct. 1937, 1949 (2009).

Furthermore, "[i]f a complaint is accompanied by attached documents, the court is not limited by the allegations contained in the complaint." *Durning v. First Boston Corp.*, 815 F.2d 1265, 1267 (9th Cir.1987) (citing *Amfac Mortgage Corp. v. Arizona Mall of Tempe*, 583 F.2d 426, 429-30 (9th Cir.1978)). "These documents are part of the complaint and may be considered in determining whether the plaintiff can prove any set of facts in support of the claim." *Id.* "Moreover, when the allegations of the complaint are refuted by an attached document, the Court need not accept the allegations as being true." *Roth v. Garcia Marquez*, 942 F.2d 617, 625, fn 1 (9th Cir. 1991)

A. Each and Every Claim for Relief Is Time Barred

It is clear from the face of the Complaint and the attached documents that

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each and every cause of action against Trigger Street is time barred. Plaintiff asserts a mix of federal and state law claims against Trigger Street, all arising from events that occurred over four years ago at the earliest, with most occurring over a decade ago. Thus, even on the most charitable reading of the Complaint, all of Briggs's claims are stale.

"If the running of the statute is apparent on the face of the complaint, the defense may be raised by a motion to dismiss." *Jablon v. Dean Witter & Co.*, 614 F.2d 677, 682 (9th Cir. 1980). Dismissal is appropriate "where it is evident from the face of the complaint that the claim is barred by the statute of limitations." *Horne v. Harley Davidson, Inc.*, 660 F.Supp.2d 1152, 1157 (C.D. Cal. 2009). "Under federal law, a cause of action accrues when the plaintiff knows or has reason to know of the injury that is the basis of the action." *Pisciotta v. Teledyne Industries, Inc.*, 91 F.3d 1326, 1331 (9th Cir. 1996). Under California law, "[a] cause of action accrues at the moment 'when the cause of action is complete with all of its elements." *Horne*, 660 F.Supp.2d 1152 (C.D. Cal. 2009) (quoting *Fox v. Ehticon Endo-Surgery, Inc.*, 35 Cal.4th 797, 806 (2005)).

1. The Breach of Contract Claim Is Time Barred

The statute of limitations for a breach of contract claim is four years. *See* Cal. Code. Civ. Proc. § 337(1); *see also Sateriale v. R.J. Reynolds Tobacco Co.*, 697 F.3d 777, 792 (2012). Briggs filed the instant lawsuit in August 2018. Thus, his breach of contract claim is time barred unless it accrued after August 2014. However, without conceding that Briggs properly pled his Second Claim for Relief,³ his alleged breach of contract claim accrued over nine years ago, well beyond the applicable statute of limitations.

³ He did not. While Briggs alleges that the TriggerStreet.com website's *Terms of Use* represented that the website's content would not be available to users outside of the United States, (Compl. ¶¶ 26, 118), that representation does not appear in the *Terms of Use*, (Compl., Ex. A.) To the contrary, the *Terms of Use* expressly acknowledge that the website could be accessed from locations outside the United States. (*Id.* at 28.)

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Briggs alleges that, in 2006, he entered into a contract "with the Defendants" when he "joined the Trigger Street social network" and agreed to the "*Terms of Use* and other agreements." (Compl. ¶¶ 3, 23, 207.) Briggs also asserts that, in 2009, Defendants breached the contract when Spacey boasted about the website's 400,000 members around the world. (Compl. ¶ 214.) Although Spacey's boasting is not actually a breach of the *Terms of Use*, even if it was, any breach of contract claim flowing from this alleged statement accrued in November 2009, if not sooner. Thus, it is clear that Briggs's breach of contract claim is time barred, as the limitations period for a November 2009 breach would have run by November 2013.

2. The Fraud Claims Are Time Barred

The statute of limitations for fraud claims is three years. Cal. Civ. Proc. Code § 338(d). While the statute of limitations is tolled until the discovery of the fraud, a plaintiff who brings a fraud claim more than three years after the alleged fraud took place must plead and prove "facts showing that he was not negligent in failing to make the discovery sooner and that he had no actual or presumptive knowledge of facts sufficient to put him on inquiry." Hayward Union High School Dist. v. Madrid, 234 Cal. App. 2d 100, 126-27 (1965); see also Bedolla v. Logan & Frazer, 52 Cal. App. 3d 118, 129 (1975) ("the provision tolling the operation of the statute until discovery is an exception, and, accordingly, plaintiff must affirmatively excuse his failure to discover the fraud within three years"); Agnew v. Parks, 172 Cal. App. 2d 756, 766 (1959) ("The fraudulent acts...were alleged to have occurred...more than five years before the original complaint was filed, and the pleading having failed to allege facts relating to their discovery they are barred by the three-year statute.") (internal citations and quotations omitted). Once a plaintiff is aware or should be aware of facts that "would make a reasonably prudent person suspicious, [he has] a duty to investigate further, and [will be] charged with knowledge of matters which would have been

revealed by such investigation." *Miller v. Bechtel Corp.*, 33 Cal. 3d 868, 875 (1983) (*citing Bedolla*, 52 Cal.App.3d at 131).

Here, Briggs asserts three claims sounding in fraud against Trigger Street—the Third, Fourth, and Fifth Claims for Relief. However, the only potential basis for the fraud-based claims with respect to Trigger Street is TriggerStreet.com. (*See* Compl., ¶ 219, 227.) But, as alleged in the Complaint, the website has been shut down since 2014. (Compl., ¶ 3, 23.) Furthermore, Briggs concedes that he was aware that the Website shutdown in 2014. (Compl., ¶¶ 3, 38 ("Defendants' final illegal action occurred on Nov 6th, 2014 ... when Defs surreptitiously closed [TriggerStreet.com]."); Ex. E.) Because Briggs admits that Trigger Street did not make any misrepresentations or actionable omissions after November 6, 2014, any claim sounding in fraud expired by November 6, 2017. And since Briggs did not file the instant fraud claims until August 15, 2018, they must be dismissed.

3. The Negligence Claims Are Time Barred

Under California law, the statute of limitations for negligence actions is two years. Cal. Code. Civ. Proc. § 339(1). As it pertains to Trigger Street, Briggs's negligence claims—the Sixth and Seventh Claims for relief—only allege wrongdoing in connection with TriggerStreet.com. (Compl. ¶¶ 236-244.) Again, given that the website shut down on November 6, 2014 (Compl., ¶¶ 3, 38), and the lack of any allegations of conduct by Trigger Street after that date, Briggs's negligence claims against Trigger Street must have been filed by November 6, 2016, at the latest. Because Briggs filed his negligence claims in 2018, both claims are stale and should be dismissed.

4. <u>The Copyright Infringement Claims Are Time Barred</u>

The statute of limitations for all claims arising under the Copyright Act is three years. *See Petrella v. Metro-Goldwyn-Mayer, Inc.*, 134 S.Ct. 1962, 1968-69, 572 U.S. 663 (2014). "[T]he limitations period generally begins to run at the point when the plaintiff can file suit and obtain relief. A copyright claim thus arises or

accrues when an infringing act occurs." Id. at 1969 (internal citations omitted).

As with the fraud and negligence claims, the only basis for Briggs's copyright infringement claims against Trigger Street—the Ninth and Tenth Claims for Relief—is the website TriggerStreet.com. However, since the website shutdown in 2014, ending the site's ability to distribute any of Briggs's work, and because Briggs concedes that Defendants' last allegedly wrongful act occurred on November 6, 2014 (Compl., ¶¶ 3, 38), there is no factual basis in the Complaint to suggest that any infringement on the part of Trigger Street could have occurred after that time. Accordingly, any infringement claim against Trigger Street must have been filed by November 6, 2017. Because Briggs did not file the instant lawsuit until August 2018, his infringement claims must be dismissed.

5. The Accounting Claim Is Time Barred

The statute of limitations for an accounting action depends on "the nature of the right sued upon, not the form of action or the relief demanded." *Jefferson v. J.E. French Co.*, 54 Cal.2d 717, 718 (1960). Here, due to the nature of Briggs's pleading, the exact nature of the right sued upon is unclear. Looking to paragraph 268 of the Complaint, it seems that Briggs's claim for an accounting is based, at least in part, on the allegation that the named defendants infringed on his (unidentified) copyrighted work. Briggs also alludes to fraudulent behavior as the basis for his accounting claim. In either instance, however, the statute of limitations would be three years. *See Petrella*, 134 S.Ct. at 1968-69 (copyright); Cal. Civ. Proc. Code § 338(d) (fraud). As explained above, the Complaint fails to identify any potentially actionable conduct by Trigger Street after the website shut down on November 6, 2014—meaning the statute of limitations ran no later than November 6, 2017. Thus, his accounting claim is also time barred.

In sum, the relevant statutes of limitations bar each and every cause of action alleged against Trigger Street. Thus, the Court need look no further for a basis to dismiss Briggs's claims against Trigger Street. However, the applicable statutes of

limitations is not the only basis to dismiss these claims. In addition to being time barred, Briggs's claims against Trigger Street fail based on the doctrine of estoppel and Briggs's failure to plead the essential elements of his claims.

B. The Doctrine of Collateral Estoppel Bars Each and Every Claim For Relief

After setting aside Briggs's rambling rants against the entertainment industry, which are untethered to any actual claim, it becomes clear that the entire lawsuit arises from the same allegedly wrongful act—Sony's distribution of the film *Elysium*. (*See*, *e.g.*, Compl. ¶ 33 (alleging that Defendants' conduct "led to the misappropriation of [Briggs's] intellectual property, and led Defendant Sony Pictures to purchase the infringing film, *Elysium*, without first reading Defendant (**Def**) Blomkamp's screenplay").)

Not surprisingly, then, the only damages identified by Briggs flow from his claim that *Elysium* infringed on his copyrighted work, Butterfly Driver. (*See* Compl. ¶¶ 185, 268 (claiming damages for the profits earned from *Elysium*).) But the merits of his copyright claim regarding *Elysium* were fully and fairly litigated to final judgment in *Briggs I. See Briggs v. Blomkamp*, 70 F.Supp.3d 1155 (N.D. Cal. 2014); *Briggs v. Sony Pictures Entertainment, Inc.*, 714 Fed.Appx. 712 (9th Cir. 2018); and *Briggs v. Sony Pictures, et al*, 2018 WL 339164 (S. Ct. Oct. 1, 2018). And because the issue of infringement was decided against Briggs, he cannot prove an essential element of every one of his claims—damage.

"Defensive use of collateral estoppel precludes a plaintiff from relitigating identical issues by merely switching adversaries." *Collins v. D.R. Horton, Inc.*, 505 F.3d 874, 881 (9th Cir. 2007) (internal citations and quotations omitted). "[T]he doctrine of collateral estoppel can apply to preclude relitigation of both issues of law and issues of fact if those issues were conclusively determined in a prior action." *Wolfson v. Brammer*, 616 F.3d 1045, 1064 (9th Cir. 2010). "Under this doctrine, a party is precluded from relitigating an issue if four requirements are

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met: (1) there was a full and fair opportunity to litigate the issue in the previous action; (2) the issue was actually litigated; (3) there was final judgment on the merits; and (4) the person against whom collateral estoppel is asserted was a party to or in privity with a party in the previous action." *Id*.

As explained above, the third and fourth elements of collateral estoppel are indisputable. The Court entered final judgment on the merits in *Briggs I.*, and privity is satisfied because Briggs is the plaintiff in both cases. This lawsuit also satisfies the remaining elements of collateral estoppel, as discussed below.

The Infringement Issue—the Basis For Briggs's Alleged Damage—Was Fully and Fairly Litigated

In this lawsuit, Briggs again alleges that "Defendants' grossly negligent culture and practices inevitably led to the misappropriation of [Briggs's] intellectual property, and led Defendant Sony Pictures to purchase the infringing film, *Elysium*, without first reading Defendant (**Def**) Blomkamp's screenplay." (Compl. ¶ 33.) However, Briggs had a full and fair opportunity to litigate whether the film *Elysium* infringed on his copyrighted work, "Butterfly Driver" in *Briggs I*. In that suit, Blomkamp, Sony Pictures Entertainment, Inc., Tristar Pictures, Inc., Media Rights Capital II, L.P., and QED International LLC, the alleged infringers, moved for summary judgment. *See Briggs v. Blomkamp, et al*, 70 F.Supp.3d 1155 (N.D. Cal. 2014). In opposition to that motion, Briggs had the opportunity to present evidence and argument to Judge Hamilton. (*Id*.)

After considering the parties' submissions and arguments, Judge Hamilton issued a lengthy and detailed opinion, affirmed by the Ninth Circuit, and denied for review by the Supreme Court. Judge Hamilton's opinion proves that Briggs did not lose summary judgment because he lacked an opportunity to marshal his evidence—he lost because his marshaled evidence failed to establish infringement of any kind. Accordingly, the first collateral estoppel element is satisfied.

2. The Infringement Issue Was Actually Litigated

Judge Hamilton's summary judgment order in *Briggs I* held that Briggs failed to adduce any evidence in support of his copyright claim. Judge Hamilton reached this conclusion only after considering the evidence and argument cited by Briggs. Thus, the infringement issue was actually litigated and resolved against Briggs.

Briggs contract, fraud, negligence, and infringement claims all require Briggs to plead and prove the element of damage. But the damages alleged in the Complaint flow from a theory of recovery Briggs is collaterally estopped from proving—copyright infringement related *Elysium*. Collateral estoppel therefore prevents Briggs from satisfying an essential element of his claims against Trigger Street, and the claims against Trigger Street must be dismissed.

C. Briggs Failed to Properly Plead His Fraud Claims

The Third and Fourth Claims for Relief, sounding in fraud, must be dismissed for the additional reason that they fail to satisfy the pleading requirements of Rule 9 (b). A plaintiff must comply with Rule 9(b) when alleging fraud. *See Destfino v. Reiswig*, 630 F.3d 952, 958 (9th Cir. 2011). Among other things, "Rule 9(b) does not allow a complaint to lump multiple defendants together but requires plaintiffs to differentiate their allegations when suing more than one defendant." *Id.* (citations omitted).

Here, the charging allegations contained in the Third and Fourth Claims for Relief make no attempt to differentiate between the various Defendants. Rather, Briggs lumps all of the Defendants together, alleging, for example, "Defendants made numerous false representations," or "Defendants made these false statements and omissions to deceive the Plaintiff." (Compl., ¶¶ 219, 229 (emphasis added).) Because Briggs failed to differentiate between the various Defendants when pleading his fraud claims, they must be dismissed for failure to comply with Rule 9 (b)'s pleading requirements.

D. The Negligence Claims Fail to Allege a Valid Duty

"Actionable negligence is traditionally regarded as involving the following:

(a) a legal duty to use due care; (b) a breach of such legal duty; (c) the breach as the proximate or legal cause of the resulting injury." *Jackson v. AEG Live, Inc.*, 233 Cal.App.4th 1156, 1173, 183 Cal.Rptr.3d 394 (2015) (citation and internal quotations omitted). "While breach of duty and proximate cause normally present factual questions, the existence of a legal duty in a given factual situation is a question of law for the courts to determine." *Id.* (citations and internal quotations omitted). In addition to the traditional elements of negligence, to state a claim for gross negligence, a plaintiff must "also allege conduct by the defendant involving either want of even scant care or an extreme departure from the ordinary standard of conduct." *Chavez v. 24 Hour Fitness USA, Inc.*, 238 Cal. App. 4th 632, 640, 189 Cal. Rptr. 3d 449, 456 (2015) (internal citations omitted).

Briggs failed to allege the breach of a legal duty, an essential element to both his Sixth and Seventh Claims for Relief. In the absence of any allegations to satisfy that element of his negligence claims, they must be dismissed for failure to state a claim.

E. Briggs Failed to Properly Plead His Infringement Claims

"To prove copyright infringement, a plaintiff must demonstrate (1) ownership of the allegedly infringed work and (2) copying of the protected elements of the work by the defendant." *Unicolors, Inc. v. Urban Outfitters, Inc.*, 853 F.3d 980, 984 (9th Cir. 2017) (citations omitted).

Briggs Complaint falls well short of pleading the elements of a viable claim under the copyright act. Neither the Ninth Claim for Relief nor the Tenth Claim for Relief identifies the work that was allegedly infringed. (See Compl. ¶¶ 252-261.) Moreover, both claims fail to allege the copying of any protected elements of any work by Trigger Street. (*Id.*) The Complaint thus fails to state a claim for copyright infringement.

Even if the Court were to assume that these claims relate to his screenplay, Butterfly Driver, they still fail for two fundamental reasons. First, there are no allegations that Trigger Street did anything with this screenplay other than allow Briggs to post it on TriggerStreet.com. Briggs's own intentional act of posting his copyrighted work on the world wide web cannot legally or logically be the basis for a claim of infringement against Trigger Street. And second, to the extent the alleged infringement involves the allegation that *Elysium* infringed on his copyright, any such claims are barred by the doctrine of collateral estoppel. (*See* Section B, *supra*.) After Briggs had a full and fair opportunity to litigate his claim in *Briggs I*, Judge Hamilton entered summary judgment in favor of Blomkamp, and the Ninth Circuit denied Briggs's appeal. Thus, he cannot re-litigate the issues raised in *Briggs I*.

F. Spoliation of Evidence Is Not a Valid Cause of Action

Briggs Eighth Claim for Relief must fail because California does not recognize a tort cause of action for spoliation of evidence. Specifically, under California law, "there is no tort remedy for the intentional spoliation of evidence by a party to the cause of action to which the spoliated evidence is relevant." Forbes v. Cty. of San Bernardino, 101 Cal. App. 4th 48, 55, 123 Cal. Rptr. 2d 721, 725 (2002) (citing Cedars-Sinai Medical Center v. Superior Court, 18 Cal.4th 1, 5, 954 P.2d 511 (1998)). Similarly, there is no cause of action in tort for intentional spoliation of evidence by third parties. Forbes, 101 Cal.App.4th at 55 (citing Temple Cmty. Hosp. v. Superior Court, 20 Cal. 4th 464, 471, 976 P.2d 223, 228 (1999). Finally, "a statutory duty to preserve evidence is not enough by itself to warrant tort liability." Forbes, 101 Cal.App.4th at 57. Thus, Briggs cannot maintain a claim for spoliation against Trigger Street, and the Eighth Claim for Relief must be dismissed for failure to state a claim.

G. Civil Conspiracy Is Not an Independent Cause of Action

It is well settled that, under California law, "there is no separate tort of civil

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conspiracy, and there is no civil action for conspiracy to commit a recognized tort unless the wrongful act itself is committed and damage results therefrom." *Harrell v. 20th Century Ins. Co.*, 934 F.2d 203, 208 (1991) (quoting *Kerr v. Rose*, 216 Cal.App.3d 1551, 1564 (1990)). In *Harrell*, the plaintiff asserted a civil conspiracy claim based on fraud. However, the court concluded that the plaintiff's fraud claim was barred by the three-year statute of limitations, and as a result, the conspiracy claim failed as well. *See Harrell*, 934 F.2d at 208.

Briggs's civil conspiracy claim must suffer the same fate as the claim in *Harrell*. Due to the haphazard nature of the allegations in the Complaint, it is far from clear what specific wrongful conduct Briggs's conspiracy claims is based on. However, Briggs's lack of clarity does not prevent dismissal, because each and every cause of action alleged in the Complaint is time barred, barred by the doctrine of collateral estoppel, or fatally deficient in some other respect. In the absence of any viable claims, Briggs's civil conspiracy claim must also be dismissed.

H. Briggs Cannot Cure His Complaint's Defects

Generally, "leave [to amend] shall be freely given when justice so requires." Federal Rule of Civil Procedure 15(a). The four factors "commonly used to determine the propriety of a motion for leave to amend ... are bad faith, undue delay, prejudice to the opposing party, and futility of amendment." *Roth v. Garcia Marquez*, 942 F.2d 617, 628 (9th Cir. 1991) (citations omitted). In this case, the fourth factor, futility of amendment, counsels against granting Briggs leave to amend.

The law is clear that "futile amendments should not permitted." *Roth*, 942 F.2d at 628 (quoting *Klamath-Lake Pharm*. *Ass'n v. Klamath Med. Serv. Bureau*, 701 F.2d 1276, 1293 (9th Cir. 1983)). "[C]ourts have discretion to deny leave to amend a complaint for 'futility,' and futility includes the inevitability of a claim's defeat on summary judgment." *Roth*, 942 F.2d at 628 (quoting *Johnson v*.

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American Airlines, Inc., 834 F.2d 721, 724 (9th Cir. 1987). 1 Here, it is clear that each and every claim for relief is time barred, and that 2 amendment cannot cure this fatal defect of Briggs's current pleading. Briggs's 3 allegations in the lawsuit, the documents incorporated by reference in the 4 Complaint, and his statements in *Briggs I* and *Briggs II*, prove that Briggs cannot 5 plead around the statute of limitations. The fact of the matter is that all of the 6 conduct alleged in the Complaint is old. And Plaintiff cannot plead tolling because 7 he concedes that he has been aware of the allegedly wrongful conduct for at least 8 four years, and in many instances, much longer. 9 10 Because Briggs's claims are fatally and incurably flawed, leave to amend should not be granted. 11 V. **CONCLUSION** 12 For the foregoing reasons, Defendant Trigger Street Productions, Inc. 13 respectfully requests that the Court dismiss all claims against it in Plaintiff's 14 Complaint. 15 16 17 Dated: October 29, 2018 LARSON O'BRIEN LLP 18 19 By: /s/ Stephen G. Larson Stephen G. Larson Jonathan E. Phillips 20 A. Alexander Lowder 21 Attorneys for TRIGGER STREET PRODÚCTIONS, INC. 22 23 24 25 26 27 28 - 16 -

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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Stephen G. Larson (SBN 145225) slarson@larsonobrienlaw.com Jonathan E. Phillips (SBN 233965) jphillips@larsonobrienlaw.com A. Alexander Lowder (SBN 269362) sbledsoe@larsonobrienlaw.com LARSON O'BRIEN LLP 555 South Flower Street, Suite 4400 Los Angeles, CA 90071 Telephone: 213.436.4888 Facsimile: 213.623.2000 Attorneys for TRIGGER STREET PRODUCTIONS, INC. UNITED STATES D NORTHERN DISTRICE STEVE WILSON BRIGGS, Plaintiffs, v. KEVIN SPACEY; ARI (ARIEL); EMANUEL; MATT DAMON; BEN AFFLECK; NBC UNIVERSAL MEDIA, LLC; SONY PICTURES ENT INC.; TRIGGER STREET PRODUCTIONS; NEILL BLOMKAMP; ASIF SATCHU; MORDECAI (MODI) WICZYK; WILLIAM (BILL) BLOCK; DANA BURNETTI; SOUND POINT CAPITAL MANAGEMENT, LC; MRC (and all MRC entities and subs.), Defendants.	
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		CASE NO: 3:18-CV-04952-VC REQUEST FOR JUDICIAL NOTICE

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TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that pursuant to Federal Rule of Evidence 201, Defendant Trigger Street Productions, Inc. ("Trigger Street") hereby requests that this Court take judicial notice of the following documents in support of Trigger Street's Motion to Dismiss:

- 1. The docket in the matter entitled Steve Wilson Briggs v. Neill Blomkamp, et al., N.D. Cal. Case No. 13-cv-4679-PJH ("Briggs I"), a true and correct copy of which is attached to the concurrently filed Declaration of A. Alexander Lowder as Exhibit 1.
- 2. The Complaint (without exhibits) in *Briggs I*, a true and correct copy of which is attached to the concurrently filed Declaration of A. Alexander Lowder as Exhibit 2.
- 3. The docket in the matter entitled *Briggs v. Universal Pictures*, et al, N.D. Cal. Case No. 3:17-cv-06552-VC ("Briggs II"), a true and correct copy of which is attached to the concurrently filed Declaration of A. Alexander Lowder as Exhibit 3.
- 4. The Complaint (without exhibits) in *Briggs II*, a true and correct copy of which is attached hereto as Exhibit 4.
- 5. The First Amended Complaint (without exhibits) in *Briggs II*, a true and correct copy of which is attached to the concurrently filed Declaration of A. Alexander Lowder as Exhibit 5.
- 6. The Dismissal in *Briggs II*, a true and correct copy of which is attached to the concurrently filed Declaration of A. Alexander Lowder as Exhibit 6.
- In ruling on a Rule 12(b)(6) motion, a "court may take judicial notice of matters of public record without converting a motion to dismiss into a motion for summary judgment, as long as the facts noticed are not subject to reasonable dispute." Skilstaf, Inc. v. CVS Caremark Corp., 669 F.3d 1005, 1006 n.9 (9th Cir.

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1	2002) (internal citations omitted). A court "must take judicial notice if a party
2	requests it and the court is supplied with the necessary information." See Fed. R.
3	Evid. 201(c)(2); In re Icenhower, 755 F.3d 1130, 1142 (9th Cir. 2014). The court
4	"may take notice of proceedings in other courts, both within and without the
5	federal judicial system if those proceedings have a direct relation to matters at
6	issue." U.S. ex rel. Robinson Rancheria Citizens Council v. Borneo, Inc., 971 F.2d
7	244, 248 (9th Cir. 1992) (internal citations omitted); see also Reyn's Pasta Bella,
8	LLC v. Vista USA, Inc., 442 F.3d 741, 746 n.6 (9th Cir. 2006) ("We may take
9	judicial notice of court filings and other matters of public record.").
10	Accordingly, Trigger Street respectfully requests that this Court take judicial
11	notice of Exhibits 1 through 6 identified above and attached to the concurrently
12	filed Declaration of A. Alexander Lowder.
13	D + 1 O + 1 20 2010 LADGON O'DDIENTID
14	Dated: October 29, 2018 LARSON O'BRIEN LLP
15	
16	By: /s/ Stephen G. Larson Stephen G. Larson
17	Jonathan E. Phillips A. Alexander Lowder
18	Attorneys for TRIGGER STREET PRODUCTIONS, INC.
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	- 2 - CASE NO: 3:18-CV-04952-VC
ļ	REQUEST FOR JUDICIAL NOTICE

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1	Stephen G. Larson (SBN 145225) slarson@larsonobrienlaw.com	
2	Jonathan E. Phillips (SBN 233965) jphillips@larsonobrienlaw.com	
3	A. Alexander Lowder (SBN 269362) sbledsoe@larsonobrienlaw.com	
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6		
7 8	Attorneys for TRIGGER STREET PRODUCTIONS INC.	
9	UNITED STATES D	DISTRICT COURT
10	NORTHERN DISTRIC	CT OF CALIFORNIA
11		Case No: 3:18-cv-04952-VC
12	STEVE WILSON BRIGGS,	Related Case No. 3:17-CV-6552-VC
13	Plaintiffs,	[Hon. Vince Chhabria]
14	V.	DECLARATION OF A. ALEXANDER
15	KEVIN SPACEY; ARI (ARIEL); EMANUEL; MATT DAMON; BEN AFFLECK; NBC UNIVERSAL	LOWDER IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS
16	MEDIA, LLC; SONY PICTURES ENT INC.; TRIGGER STREET	COMPLAINT PURSUANT TO FED. R.
17	PRODUCTIONS INC.; NEILL BLOMKAMP; ASIF SATCHU;	CIV. P. 12(b)(6) AND/OR 12(b)(1)
18	MORDECAI (MODI) WICZYK; WILLIAM (BILL) BLOCK; DANA	[Filed concurrently with Notice of Motion and Motion to Dismiss;
19		Request for Judicial Notice; and [Proposed] Order]
20	MRC entities and subs.),	Date: December 6, 2018
21	Defendants.	Time: 10:00 a.m. Crtrm.: 4
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		CASE NO: 3:18-CV-04952-VC DECLARATION OF A. ALEXANDER LOWDER

1	DECLARATION OF A. ALEXANDER LOWDER
2	I, A. Alexander Lowder, hereby declare and state as follows:
3	1. I am an attorney licensed to practice law before this Court and am
4	currently a partner at the law firm of Larson O'Brien LLP, attorneys for
5	Defendants Kevin Spacey in the above-captioned matter. I have personal
6	knowledge of all facts stated herein, except where stated otherwise, and if called
7	upon to do so, I can and will testify thereto.
8	2. A true and correct copy of the docket in the matter entitled <i>Steve</i>
9	Wilson Briggs v. Neill Blomkamp, et al., N.D. Cal. Case No. 13-cv-4679-PJH
10	(" $Briggs \Gamma$ ") is attached hereto as Exhibit 1.
11	3. A true and correct copy of the Complaint in <i>Briggs I</i> , is attached
12	hereto as Exhibit 2.
13	4. A true and correct copy of the docket in the matter entitled <i>Briggs v</i> .
14	Universal Pictures, et al, N.D. Cal. Case No. 3:17-cv-06552-VC ("Briggs II") is
15	attached hereto as Exhibit 3.
16	5. A true and correct copy of the Complaint in <i>Briggs II</i> , is attached
17	hereto as Exhibit 4.
18	6. A true and correct copy of the First Amended Complaint in <i>Briggs II</i> ,
19	is attached hereto as Exhibit 5.
20	7. A true and correct copy of the Dismissal in <i>Briggs II</i> , is attached
21	hereto as Exhibit 6.
22	I declare under penalty of perjury under the laws of the State of
23	California that the foregoing is true and correct.
24	Executed this 29th day of October, 2018, at Los Angeles, California.
25	alumber
26	A. Alexander Lowder
27	A. Alexander Lowder
28	

Case: 19-15128, 05/28/2019, ID: 11311207, DktEntry: 14-5, Page 230 of 241

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EXHIBIT 1

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ADRMOP, AO279, CLOSED, E-ProSe, ProSe

U.S. District Court California Northern District (Oakland) CIVIL DOCKET FOR CASE #: 4:13-cv-04679-PJH

Briggs v. Blomkamp et al

Assigned to: Hon. Phyllis J. Hamilton Referred to: Magistrate Judge Laurel Beeler

Case in other court: Ninth Circuit Court of Appeals, 14-17175

U.S. Supreme Court, 18-00063

Cause: 17:501 Copyright Infringement

Date Filed: 10/08/2013 Date Terminated: 10/03/2014

Jury Demand: None

Nature of Suit: 820 Copyright Jurisdiction: Federal Ouestion

Plaintiff

Steve Kenyatta Wilson Briggs

represented by Steve Kenyatta Wilson Briggs

681 Edna Way San Mateo, CA 94402 510-200-3763

Email: snc.steve@gmail.com

PRO SE

V.

Defendant

Sony Pictures Ent., Inc.

represented by Michael Joseph Kump

Kinsella Weitzman et al LLP 808 Wilshire Blvd 3FL Santa Monica, CA 90401 310-566-9855

Fax: 310-566-9850

Email: mkump@kwikalaw.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Gregory Philip Korn

Kinsella Weitzman et al LLP 808 Wilshire Blvd 3FL Santa Monica, CA 90401

310-566-9800 Fax: 310-566-9850

Email: gkorn@kwikalaw.com ATTORNEY TO BE NOTICED

Defendant

Tristar Pictures, Inc.

represented by Michael Joseph Kump

(See above for address) LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Gregory Philip Korn

Case: 19-15128, 05/28/2019, ID: 11311207, DktEntry: 14-5, Page 232 of 241

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(See above for address)

ATTORNEY TO BE NOTICED

Defendant

Media Rights Capital

represented by Michael Joseph Kump

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Gregory Philip Korn (See above for address)

ATTORNEY TO BE NOTICED

Defendant

QED International

represented by Michael Joseph Kump

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Gregory Philip Korn (See above for address) ATTORNEY TO BE NOTICED

Defendant

Neill Blomkamp

represented by Michael Joseph Kump

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Gregory Philip Korn (See above for address) ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/08/2013	1	COMPLAINT against Neil Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc. (Filing fee \$ 400.). Filed bySteve Wilson Briggs. (Attachments: # 1 Part 2, # 2 Part 3, # 3 Civil Cover Sheet)(vlkS, COURT STAFF) (Filed on 10/8/2013) (Entered: 10/10/2013)
10/08/2013	2	ADR SCHEDULING ORDER: Case Management Statement due by 1/2/2014. Case Management Conference set for 1/9/2014 02:00 PM. (Attachments: # 1 Standing Order)(vlkS, COURT STAFF) (Filed on 10/8/2013) (Entered: 10/10/2013)
10/10/2013	3	REPORT on the filing of an action regarding copyright infringement (cc: form mailed to register). (vlkS, COURT STAFF) (Filed on 10/10/2013) Modified on 10/11/2013 (jlmS, COURT STAFF). (Entered: 10/10/2013)
10/15/2013	4	Summons Issued as to Neill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (vlk, COURT STAFF) (Filed on 10/15/2013) (Entered: 10/15/2013)
11/27/2013	<u>5</u>	NOTICE of Appearance by Michael Joseph Kump <i>For Defendants</i> (Attachments: # <u>1</u> Certificate/Proof of Service)(Kump, Michael) (Filed on 11/27/2013) (Entered:

Case: 19-15128, 05/28/2019, ID: 11311207, DktEntry: 14-5, Page 233 of 241

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	Case	3:18-cv-04952-vC Document 27-2 Filed 10/29/18 Page 6 of 182 11/27/2013)
11/27/2013	6	NOTICE of Appearance by Gregory Philip Korn <i>For Defendants</i> (Attachments: # <u>1</u> Certificate/Proof of Service)(Korn, Gregory) (Filed on 11/27/2013) (Entered: 11/27/2013)
11/27/2013	7	DEFENDANTS' ANSWER to Complaint and Affirmative Defenses to Complaint for Copyright Infringement byNeill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (Attachments: # 1 Certificate/Proof of Service)(Kump, Michael) (Filed on 11/27/2013) (Entered: 11/27/2013)
11/27/2013	8	Certificate of Interested Entities identifying corporate parent Media Rights Capital II, L.P. by Neill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc. (Attachments: # 1 Certificate/Proof of Service)(Kump, Michael) (Filed on 11/27/2013) Modified on 11/29/2013 (vlkS, COURT STAFF). (Entered: 11/27/2013)
11/27/2013	9	Corporate Disclosure Statement of Defendants by Neill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc. (Attachments: # 1 Certificate/Proof of Service)(Kump, Michael) (Filed on 11/27/2013) Modified on 11/29/2013 (vlkS, COURT STAFF). (Entered: 11/27/2013)
12/19/2013	10	NOTICE of need for ADR Phone Conference (ADR L.R. 3-5 d) (Kump, Michael) (Filed on 12/19/2013) (Entered: 12/19/2013)
12/19/2013	11	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options <i>filed by Neill Blomkamp</i> (Attachments: # 1 Certificate/Proof of Service)(Kump, Michael) (Filed on 12/19/2013) (Entered: 12/19/2013)
12/19/2013	12	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options <i>filed by QED International, LLC</i> (Attachments: # 1 Certificate/Proof of Service)(Kump, Michael) (Filed on 12/19/2013) (Entered: 12/19/2013)
12/19/2013	13	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options <i>filed by Tristar Pictures, Inc.</i> (Attachments: # 1 Certificate/Proof of Service)(Kump, Michael) (Filed on 12/19/2013) (Entered: 12/19/2013)
12/19/2013	14	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options <i>filed by Sony Pictures Entertainment Inc.</i> (Attachments: # 1 Certificate/Proof of Service)(Kump, Michael) (Filed on 12/19/2013) (Entered: 12/19/2013)
12/19/2013	15	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options <i>filed by MRC II Distribution Company, L.P.</i> (Attachments: # 1 Certificate/Proof of Service)(Kump, Michael) (Filed on 12/19/2013) (Entered: 12/19/2013)
12/19/2013	16	Proof of Service re 10 Notice of need of ADR Phone Conference (ADR L.R. 3-5 d) by Neill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (Kump, Michael) (Filed on 12/19/2013) Modified on 12/20/2013 (kcS, COURT STAFF). (Entered: 12/19/2013)
12/19/2013	17	AMENDED COMPLAINT against Neill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc Filed bySteve Wilson Briggs. (Attachments: # 1 Part 2, # 2 Part 3)(vlkS, COURT STAFF) (Filed on 12/19/2013) (Entered: 12/19/2013)
12/19/2013	18	NOTICE of need for ADR Phone Conference (ADR L.R. 3-5 d) (vlkS, COURT STAFF) (Filed on 12/19/2013) (Entered: 12/19/2013)
12/19/2013	19	SUMMONS Returned Executed by Steve Wilson Briggs. Neill Blomkamp served on 11/26/2013, answer due 12/17/2013; Media Rights Capital served on 12/5/2013, answer
	1	ED 1011

		3:18-cv-04952-VC Document 27-2 Filed 10/29/18 Page 7 of 182 due 12/26/2013; QED International served on 12/4/2013, answer due 12/26/2013; Sony Pictures Ent., Inc. served on 11/7/2013, answer due 12/2/2013; Tristar Pictures, Inc. served on 11/7/2013, answer due 12/2/2013. (vlkS, COURT STAFF) (Filed on 12/19/2013) (Entered: 12/19/2013)
12/20/2013	20	ADR Clerk's Notice Setting ADR Phone Conference on 1/6/2014 at 10:00 a.m. Pacific time. Please note that you must be logged into an ECF account of counsel of record in order to view this document. (Attachments: # 1 Certificate/Proof of Service)(cmf, COURT STAFF) (Filed on 12/20/2013) (Entered: 12/20/2013)
12/30/2013	21	STIPULATION WITH PROPOSED ORDER re 17 Amended Complaint <i>re Extension to Answer and Continue January 9, 2014 Case Management Conference</i> filed by Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (Attachments: # 1 Proposed Order to Continue January 9, 2014 Case Management Conference)(Kump, Michael) (Filed on 12/30/2013) (Entered: 12/30/2013)
12/30/2013	22	Declaration of Gregory Korn in Support of <u>21</u> STIPULATION WITH PROPOSED ORDER re <u>17</u> Amended Complaint <i>re Extension to Answer and Continue January 9, 2014 Case Management Conference</i> filed byMedia Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (Related document(s) <u>21</u>) (Kump, Michael) (Filed on 12/30/2013) (Entered: 12/30/2013)
01/02/2014	23	ORDER GRANTING STIPULATION TO CONTINUE JANUARY 9, 2014 CASE MANAGEMENT CONFERENCE by Hon. Phyllis J. Hamilton granting 21 Stipulation. (Attachments: # 1 Certificate/Proof of Service)(nahS, COURT STAFF) (Filed on 1/2/2014) (Entered: 01/02/2014)
01/02/2014		Set Deadlines/Hearings: Case Management Statement due by 1/9/2014. Initial Case Management Conference set for 1/16/2014 02:00 PM. (nahS, COURT STAFF) (Filed on 1/2/2014) (Entered: 01/02/2014)
01/03/2014	24	MOTION for Sanctions filed by Steve Wilson Briggs. Responses due by 1/17/2014. Replies due by 1/24/2014. (vlk, COURT STAFF) (Filed on 1/3/2014) (Entered: 01/06/2014)
01/06/2014	25	AMENDED MOTION for Sanctions filed by Steve Wilson Briggs. Motion Hearing set for 2/19/2014 09:00 AM before Hon. Phyllis J. Hamilton. Responses due by 1/21/2014. Replies due by 1/28/2014. (Attachments: # 1 Proposed Order)(vlkS, COURT STAFF) (Filed on 1/6/2014) (Entered: 01/07/2014)
01/07/2014		ADR Remark: ADR Phone Conference held 1/6/2014 with Howard Herman, ADR Program Director. (cmf, COURT STAFF) (Filed on 1/7/2014) (Entered: 01/07/2014)
01/09/2014	26	CASE MANAGEMENT STATEMENT <i>and Rule 26(f) Report</i> filed by Neill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (Attachments: # 1 Certificate/Proof of Service)(Kump, Michael) (Filed on 1/9/2014) (Entered: 01/09/2014)
01/09/2014	27	Defendants' ANSWER to Amended Complaint and Affirmative Defenses byNeill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (Attachments: # 1 Certificate/Proof of Service)(Kump, Michael) (Filed on 1/9/2014) (Entered: 01/09/2014)
01/09/2014	28	CASE MANAGEMENT STATEMENT filed by Steve Wilson Briggs. (vlk, COURT STAFF) (Filed on 1/9/2014) (Entered: 01/09/2014)
01/09/2014	<u>29</u>	MOTION for Permission for Electronic Case Filing filed by Steve Wilson Briggs. (Attachments: # 1 Proposed Order)(vlk, COURT STAFF) (Filed on 1/9/2014) (Entered: 01/09/2014)

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01/16/2014	30	Minute Entry: Initial Case Management Conference held on 1/16/2014 before Phyllis J. Hamilton (Date Filed: 1/16/2014). Bench Trial set for 5/18/2015 08:30 AM before Hon. Phyllis J. Hamilton. Final Pretrial Conference set for 4/30/2015 02:00 PM. (Court Reporter Not Reported.) (Attachments: # 1 Certificate/Proof of Service) (nahS, COURT STAFF) (Date Filed: 1/16/2014) (Entered: 01/17/2014)
01/17/2014	31	CASE MANAGEMENT AND PRETRIAL ORDER re 30 Case Management Conference - Initial. Signed by Judge Phyllis J. Hamilton on 1/17/14. (Attachments: #1 Certificate/Proof of Service)(nahS, COURT STAFF) (Filed on 1/17/2014) (Entered: 01/17/2014)
01/23/2014	32	Answer to Amended Complaint <u>17</u> Amended Complaint (Answer Filed By Media Rights Capital II, L.P.) byMedia Rights Capital. (Attachments: # <u>1</u> Certificate/Proof of Service PROOF OF SERVICE)(Kump, Michael) (Filed on 1/23/2014) (Entered: 01/23/2014)
01/23/2014	33	Certificate of Interested Entities by Media Rights Capital identifying other affiliate MRC II Distribution Company L.P. (Attachments: # 1 Certificate/Proof of Service)(Kump, Michael) (Filed on 1/23/2014) Modified on 1/24/2014 (vlkS, COURT STAFF). (Entered: 01/23/2014)
01/23/2014	34	Certificate of Interested Entities by Neill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc. <i>CORPORATE DISCLOSURE STATEMENT OF DEFENDANT MEDIA RIGHTS CAPITAL II., L.P.</i> (Attachments: # 1 Certificate/Proof of Service)(Kump, Michael) (Filed on 1/23/2014) (Entered: 01/23/2014)
04/08/2014	35	MOTION For a Further CMC and Continuance of Case Management and Pretrial Order Deadlines filed by Steve Wilson Briggs. Motion Hearing set for 5/14/2014 09:00 AM before Hon. Phyllis J. Hamilton. Responses due by 4/22/2014. Replies due by 4/29/2014. (Attachments: # 1 Proposed Order)(vlkS, COURT STAFF) (Filed on 4/8/2014) (Entered: 04/08/2014)
04/09/2014	36	ORDER by Judge Hamilton granting in part and denying in part 35 Motion for further case management conference and Motion to continue pretrial dates. (pjhlc1, COURT STAFF) (Filed on 4/9/2014) (Additional attachment(s) added on 4/10/2014: # 1 Certificate/Proof of Service) (nahS, COURT STAFF). (Entered: 04/09/2014)
04/17/2014	37	Minute Entry: Further Case Management Conference held on 4/17/2014 before Judge Phyllis J. Hamilton (Date Filed: 4/17/2014). Discovery due by 6/17/2014. Motions due by 7/30/2014. (Court Reporter: Not Reported.) (Attachments: # 1 Certificate/Proof of Service) (nahS, COURT STAFF) (Date Filed: 4/17/2014) Modified on 4/21/2014 (jlmS, COURT STAFF). (Entered: 04/18/2014)
04/17/2014	38	FIRST NOTICE OF FILING OF MOTION FOR SUMMARY JUDGMENT re 37 Case Management Conference - Further. Signed by Judge Phyllis J. Hamilton on 4/17/14. (Attachments: # 1 Certificate/Proof of Service)(nahS, COURT STAFF) (Filed on 4/17/2014) (Entered: 04/18/2014)
04/25/2014	39	MOTION for Permission for Electronic Case Filing filed by Steve Wilson Briggs. (Attachments: # 1 Proposed Order)(vlk, COURT STAFF) (Filed on 4/25/2014) (Entered: 04/29/2014)
04/25/2014	40	Declaration in Support of <u>39</u> MOTION for Permission for Electronic Case Filing filed bySteve Wilson Briggs. (Related document(s) <u>39</u>) (vlk, COURT STAFF) (Filed on 4/25/2014) (Entered: 04/29/2014)
04/29/2014	41	ORDER by Judge Phyllis J. Hamilton finding as moot <u>39</u> Motion for Permission for Electronic Case Filing; granting <u>29</u> Motion for Permission for Electronic Case Filing
		ED 1013

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		(Attachments: # 1 Certificate/Proof of Service) (nah, COURT STAFF) (Filed on 4/29/2014) (Entered: 04/29/2014)
05/16/2014	42	See document 43 for attachment. NOTICE of Rebuttal to Defendants' Expert Report of Jeff Rovin by Steve Kenyatta Wilson Briggs (vlk, COURT STAFF) (Filed on 5/16/2014) Modified on 5/16/2014 (vlk, COURT STAFF). Modified on 5/16/2014 (vlk, COURT STAFF). (Entered: 05/16/2014)
05/16/2014	43	NOTICE of Rebuttal to Defendants' Expert Report of Jeff Rovin by Steve Kenyatta Wilson Briggs (vlk, COURT STAFF) (Filed on 5/16/2014) (Entered: 05/16/2014)
05/16/2014	44	CERTIFICATE OF SERVICE by Steve Kenyatta Wilson Briggs re 43 Notice (Other) (vlk, COURT STAFF) (Filed on 5/16/2014) (Entered: 05/16/2014)
06/12/2014	45	MOTION To Disqualify Export Report of Jeff Rovin filed by Steve Kenyatta Wilson Briggs. Motion Hearing set for 7/23/2014 09:00 AM before Hon. Phyllis J. Hamilton. Responses due by 6/26/2014. Replies due by 7/3/2014. (Attachments: # 1 Proposed Order)(vlkS, COURT STAFF) (Filed on 6/12/2014) (Entered: 06/13/2014)
06/12/2014	46	Document STRICKEN per 49 Order. MOTION for Leave to File a Second Amended Complaint filed by Steve Kenyatta Wilson Briggs. (Attachments: # 1 Proposed Order)(vlkS, COURT STAFF) (Filed on 6/12/2014) Modified on 6/17/2014 (vlkS, COURT STAFF). (Entered: 06/13/2014)
06/12/2014	47	Amended Rebuttal to Defendants' "Export Report of Jeff Rovin" by Steve Kenyatta Wilson Briggs (vlkS, COURT STAFF) (Filed on 6/12/2014) (Entered: 06/13/2014)
06/12/2014	48	Correction by Steve Kenyatta Wilson Briggs re <u>43</u> Notice (vlkS, COURT STAFF) (Filed on 6/12/2014) (Entered: 06/13/2014)
06/16/2014	49	ORDER by Hon. Phyllis J. Hamilton STRIKING <u>46</u> Motion for Leave to File.(nah, COURT STAFF) (Filed on 6/16/2014) (Entered: 06/16/2014)
06/26/2014	<u>50</u>	RESPONSE (re 45 MOTION To disqualify Export Report of Jeff Rovin) filed byNeill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (Attachments: # 1 Declaration of Jeff Rovin in Opposition to Motion to Disqualify Expert Report, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3)(Korn, Gregory) (Filed on 6/26/2014) (Entered: 06/26/2014)
07/09/2014	51	MOTION to Compel Production of Documents filed by Steve Kenyatta Wilson Briggs. Motion Hearing set for 8/13/2014 09:00 AM before Hon. Phyllis J. Hamilton. Responses due by 7/23/2014. Replies due by 7/30/2014. (vlkS, COURT STAFF) (Filed on 7/9/2014) (Additional attachment(s) added on 8/31/2015: # 1 Corrected attachment) (vlkS, COURT STAFF). (Entered: 07/10/2014)
07/09/2014	<u>52</u>	CERTIFICATE OF SERVICE by Steve Kenyatta Wilson Briggs re <u>51</u> MOTION to Compel (vlkS, COURT STAFF) (Filed on 7/9/2014) (Entered: 07/10/2014)
07/10/2014	53	Amended MOTION to Compel <i>Production of Documents</i> filed by Steve Kenyatta Wilson Briggs. Motion Hearing set for 8/20/2014 09:00 AM in Courtroom 3, 3rd Floor, Oakland before Hon. Phyllis J. Hamilton. Responses due by 7/24/2014. Replies due by 7/31/2014. (Attachments: # 1 Proposed Order, # 2 Exhibit A -Blomkamp Articles, # 3 Exhibit B - Tenley Titles, # 4 Exhibit C -Plaintiff Interrogatories)(Wilson Briggs, Steve) (Filed on 7/10/2014) (Entered: 07/10/2014)
07/10/2014	<u>54</u>	Notice of Withdrawal of Motion <i>Notice of Motion and Motion to Compel Production of Documents; and Memorandum and Points and Authorities</i> (Wilson Briggs, Steve) (Filed on 7/10/2014) (Entered: 07/10/2014)

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07/11/2014	<u>55</u>	ORDER REFERRING CASE to Magistrate Judge for Discovery purposes. Signed by Judge Phyllis J. Hamilton on 7/11/14. (nahS, COURT STAFF) (Filed on 7/11/2014) (Entered: 07/11/2014)
07/14/2014	<u>56</u>	ERRATA re <u>53</u> <i>Correction Concerning Motion to Compel and Proposed Order</i> , filed by Steve Kenyatta Wilson Briggs. (Wilson Briggs, Steve) (Filed on 7/14/2014) Modified on 7/15/2014 (jlmS, COURT STAFF). (Entered: 07/14/2014)
07/15/2014	<u>57</u>	NOTICE OF REFERRAL AND ORDER REGARDING DISCOVERY PROCEDURES. See order for deadlines regarding Plaintiff's pending amended motion to compel. Signed by Judge Laurel Beeler on 7/15/2014. (Attachments: # 1 Standing Order)(lblc2, COURT STAFF) (Filed on 7/15/2014) (Entered: 07/15/2014)
07/17/2014	<u>58</u>	ORDER re 45 MOTION To disqualify Export Report of Jeff Rovin filed by Steve Kenyatta Wilson Briggs. Signed by Judge Hamilton on 7/17/2014. (pjhlc1, COURT STAFF) (Filed on 7/17/2014) (Entered: 07/17/2014)
07/18/2014	<u>59</u>	MOTION for Leave to File <i>Amended Notice of Motion and Motion to File a Second Amended Complaint</i> filed by Steve Kenyatta Wilson Briggs. (Attachments: # 1 Proposed Order, # 2 Exhibit Ex A Butterfly Driver, # 3 Exhibit Ex B Elysium, # 4 Exhibit Exhibits C-Z and AA-DD)(Wilson Briggs, Steve) (Filed on 7/18/2014) (Entered: 07/18/2014)
07/18/2014	<u>60</u>	Notice of Withdrawal of Motion for Leave to File Amended Notice of Motion and Motion to File a Second Amended Complaint (Wilson Briggs, Steve) (Filed on 7/18/2014) (Entered: 07/18/2014)
07/18/2014	61	Second MOTION for Leave to File <i>Second Amended Complaint</i> filed by Steve Kenyatta Wilson Briggs. (Attachments: # 1 Exhibit Second Amended Complaint, # 2 Exhibit Exhibit A - Butterfly Driver, # 3 Exhibit Exhibit B - Elysium, # 4 Exhibit Exhibit C-Z and AA-DD, # 5 Proposed Order Proposed Order)(Wilson Briggs, Steve) (Filed on 7/18/2014) (Entered: 07/18/2014)
07/25/2014	62	RESPONSE (re <u>53</u> Amended MOTION to Compel <i>Production of Documents</i>) and <i>Declaration of Gregory Korn in Support Thereof</i> filed byNeill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (Korn, Gregory) (Filed on 7/25/2014) (Entered: 07/25/2014)
07/30/2014	63	MOTION for Summary Judgment filed by Steve Kenyatta Wilson Briggs. Motion Hearing set for 9/3/2014 09:00 AM in Courtroom 3, 3rd Floor, Oakland before Hon. Phyllis J. Hamilton. Responses due by 8/13/2014. Replies due by 8/20/2014. (Attachments: # 1 Proposed Order proposed order, # 2 Exhibit Exhibit A Butterfly Driver, # 3 Exhibit Exhibit B Elysium, # 4 Exhibit Exhibit C Copyright reg, # 5 Exhibit Exhibit D email of script, # 6 Exhibit Exhibit E WGA reg, # 7 Exhibit Exhibit F query letters, # 8 Exhibit Exhibit G Philly logline, # 9 Exhibit Exhibit H Slamdance, # 10 Exhibit Exhibit I Ibktip, # 11 Exhibit Exhibit J TriggerStreet 1, # 12 Exhibit Exhibit K TriggerStreet 2, # 13 Exhibit Exhibit L TriggerStreet 3, # 14 Exhibit Exhibit M website logline, # 15 Exhibit Exhibit N Uber Headache, # 16 Exhibit Exhibit O signed declarations)(Wilson Briggs, Steve) (Filed on 7/30/2014) (Entered: 07/30/2014)
07/30/2014	64	MOTION for Summary Judgment <i>Memorandum of Points and Authorities</i> filed by Neill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc Motion Hearing set for 9/3/2014 09:00 AM in Courtroom 3, 3rd Floor, Oakland before Hon. Phyllis J. Hamilton. Responses due by 8/13/2014. Replies due by 8/20/2014. (Attachments: # 1 Proposed Order, # 2 Certificate/Proof of Service [of Exhibit 2 to the Declaration of Gregory Korn)(Kump, Michael) (Filed on 7/30/2014) Modified on 8/13/2014 (kcS, COURT STAFF). (Entered: 07/30/2014)
07/30/2014	<u>65</u>	Declaration of Neill Blomkamp in Support of 64 MOTION for Summary Judgment
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		Memorandum of Points and Authorities filed byNeill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (Related document(s) 64) (Kump, Michael) (Filed on 7/30/2014) (Entered: 07/30/2014)
07/30/2014	66	Declaration of Gregory Korn in Support of <u>64</u> MOTION for Summary Judgment <i>Memorandum of Points and Authorities</i> filed byNeill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (Related document(s) <u>64</u>) (Kump, Michael) (Filed on 7/30/2014) (Entered: 07/30/2014)
07/30/2014	<u>67</u>	Declaration of Jeff Rovin in Support of <u>64</u> MOTION for Summary Judgment <i>Memorandum of Points and Authorities</i> filed byNeill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (Related document(s) <u>64</u>) (Kump, Michael) (Filed on 7/30/2014) (Entered: 07/30/2014)
07/30/2014	68	NOTICE by Neill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc. re 64 MOTION for Summary Judgment <i>Memorandum of Points and Authorities [OF MANUAL FILING OF EXHIBIT 2 - MOTION PICTURE ELYSIUM IN DVD FORMAT]</i> (Kump, Michael) (Filed on 7/30/2014) (Entered: 07/30/2014)
07/30/2014	<u>69</u>	NOTICE by Neill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc. <i>TO PLAINTIFF RE: APRIL 17, 2014 FIRST NOTICE OF FILING OF MOTION FOR SUMMARY JUDGMENT</i> (Kump, Michael) (Filed on 7/30/2014) (Entered: 07/30/2014)
07/30/2014	70	EXHIBIT 2 in Support of <u>66</u> Declaration filed byNeill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc., (vlkS, COURT STAFF) (Filed on 7/30/2014) (Entered: 07/30/2014)
08/01/2014	71	RESPONSE (re 61 Second MOTION for Leave to File Second Amended Complaint) AND DECLARATION OF GREGORY KORN IN SUPPORT THEREOF filed by Neill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (Korn, Gregory) (Filed on 8/1/2014) (Entered: 08/01/2014)
08/01/2014	72	CLERK'S NOTICE. The court sets a short telephone conference call regarding Mr. Briggs's pending motion to compel for Thursday, August 7, 2014 at 11 a.m. Mr. Briggs and Defendants' counsel must email their direct-dial telephone numbers to lbpo@cand.uscourts.gov. If there are any issues regarding the timing of this conference call, the parties must call the court's chambers at 415-522-4660 to work out another time. Discovery Hearing set for 8/7/2014 11:00 AM in Courtroom C, 15th Floor, San Francisco before Magistrate Judge Laurel Beeler. (lblc2, COURT STAFF) (Filed on 8/1/2014) (Entered: 08/01/2014)
08/04/2014	73	ORDER re 63 MOTION for Summary Judgment filed by Steve Kenyatta Wilson Briggs. Signed by Judge Hamilton on 8/4/2014. (pjhlc1, COURT STAFF) (Filed on 8/4/2014) (Entered: 08/04/2014)
08/06/2014	74	Declaration of Steve Wilson Briggs in Support of 17 for authentication in support of FAC filed by Steve Kenyatta Wilson Briggs. (Wilson Briggs, Steve) (Filed on 8/6/2014) Modified on 8/7/2014 (vlkS, COURT STAFF). (Entered: 08/06/2014)
08/06/2014	75	Declaration of Steve Wilson Briggs in Support of <u>30</u> authentication in support of motion for summary judgment filed by Steve Kenyatta Wilson Briggs. (Wilson Briggs, Steve) (Filed on 8/6/2014) Modified on 8/7/2014 (vlkS, COURT STAFF). (Entered: 08/06/2014)
08/06/2014	76	Request for Judicial Notice in Support of <u>17</u> Plaintiff's Motion For Summary Judgment - and FAC filed by Steve Kenyatta Wilson Briggs. (Attachments: # <u>1</u> Exhibit 1 Exhibit B - Elysium Script, # <u>2</u> Exhibit 2 Exhibit C -Copyright Reg, # <u>3</u> Exhibit 2 Exhibit D MRC
	1	FD 4040

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1	Case	3.18-cv-04952-vC Document 27-2 Filed 10/29/18 Page 12 01 182	
		exec(s) do marketing interview, # 4 Exhibit 4 Exhibit E MRC website markets Elysium, # 5 Exhibit 5 Exhibit F NYT article about MRC's ethics concerns, # 6 Exhibit 6 Exhibit G first few pages of script in email, # 7 Exhibit 7 Exhibit H - WGA registration, # 8 Exhibit 8 Exhibit J -Piladelphia logine, # 9 Exhibit 9 Exhibit K -Slamdance, # 10 Exhibit 10 Exhibit L -Inktip emails, # 11 Exhibit 11 Exhibit M -TriggerStreet emails, # 12 Exhibit 12 Exhibit N -TS member Tom Gilman emails, # 13 Exhibit 13 Exhibit O -TS member Jason Beck emails, # 14 Exhibit 14 Exhibit P -TS member Bob Thielke emails, # 15 Exhibit 15 Exhibit Q -logline posted on old personal website, # 16 Exhibit 16 Exhibit R - Jody Foster discusses extreme set secrecy on Elysium, # 17 Exhibit 17 Jodie Foster says her role was originally written for a man, # 18 Exhibit 18 Exhibit T -email to Kinsella Weitzman, # 19 Exhibit 19 Exhibit U -Hollywood Accounting, # 20 Exhibit 20 Exhibit V -Loeb says Sony Pictures lacks transparency, # 21 Exhibit Exhibit 21-TriggerStreet 50 best, # 22 Exhibit Exhibit 22 -TS 100,000 mebers)(Wilson Briggs, Steve) (Filed on 8/6/2014) Modified on 8/7/2014 (vlkS, COURT STAFF). (Entered: 08/06/2014)	
08/07/2014	77	Minute Entry: Discovery Hearing held on 8/7/2014 before Judge Laurel Beeler (Date Filed: 8/7/2014). (FTR Recording: 11-58 a.m 12:02 p.m.) (Attachments: # 1 Certificate/Proof of Service) (wsn, COURT STAFF) (Date Filed: 8/7/2014) (Entered: 08/07/2014)	
08/07/2014	<u>78</u>	ORDER REGARDING <u>53</u> PLAINTIFF'S JULY 10, 2014 MOTION TO COMPEL. Signed by Magistrate Judge Laurel Beeler on 8/7/2014.(lblc2, COURT STAFF) (Filed on 8/7/2014) (Entered: 08/07/2014)	
08/12/2014	79	RESPONSE (re 64 MOTION for Summary Judgment) <i>Opposition Brief</i> filed bySteve Kenyatta Wilson Briggs. (Attachments: # 1 Exhibit genetic reprogramming, # 2 Exhibit millions of \$ to live on Uberopolis, # 3 Exhibit commoners long for treatments on Uberopolis, # 4 Exhibit more treatments available on Sky Town, # 5 Exhibit the poor long for medicine from Uberopolis, # 6 Exhibit F -plot points, # 7 Exhibit G -Syd Field, # 8 Exhibit H -Syd Field's plot points, # 9 Exhibit I -more Syd Field's plot points, # 10 Exhibit J -more Syd Field's plot points, # 11 Exhibit K -more Syd Field's plot points, # 12 Exhibit L -Inciting Incident, # 13 Exhibit M -more inciting incident, # 14 Exhibit N - Law360 article, # 15 Exhibit O -Examiner.com article, # 16 Exhibit P -The Wrap article) (Wilson Briggs, Steve) (Filed on 8/12/2014) (Entered: 08/12/2014)	
08/13/2014	80	Declaration of Steve Wilson Briggs to authenticate and support attachment to 79 brief in opposition to Defendant's Motion for Summary Judgment filed by Steve Kenyatta Wilson Briggs. (Wilson Briggs, Steve) (Filed on 8/13/2014) Modified on 8/14/2014 (kcS, COURT STAFF). (Entered: 08/13/2014)	
08/13/2014	81	Request for Judicial Notice <i>for exhibits attached to 79 Brief In Opposition To Defendants Motion for Summary Judgment</i> filed by Steve Kenyatta Wilson Briggs. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P)(Wilson Briggs, Steve) (Filed on 8/13/2014) Modified on 8/14/2014 (kcS, COURT STAFF). (Entered: 08/13/2014)	
08/13/2014	82	RESPONSE (re <u>63</u> MOTION for Summary Judgment) filed byNeill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (Kump, Michael) (Filed on 8/13/2014) (Entered: 08/13/2014)	
08/20/2014	83	ORDER by Judge Hamilton denying <u>61</u> Motion for Leave to File (pjhlc1, COURT STAFF) (Filed on 8/20/2014) (Entered: 08/20/2014)	
08/20/2014	84	REPLY (re 64 MOTION for Summary Judgment) filed byNeill Blomkamp, Media Rights Capital, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc (Korn,	

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		Gregory) (Filed on 8/20/2014) (Entered: 08/20/2014)		
09/03/2014	85	Minute Entry: Motion Hearing held on 9/3/2014 before Phyllis J. Hamilton (Date Filed: 9/3/2014) re 64 MOTION for Summary Judgment filed by Media Rights Capital, Neill Blomkamp, QED International, Sony Pictures Ent., Inc., Tristar Pictures, Inc., 63 MOTION for Summary Judgment filed by Steve Kenyatta Wilson Briggs. (Court Reporter Kelly Polvi.) (nahS, COURT STAFF) (Date Filed: 9/3/2014) (Entered: 09/03/2014)		
10/03/2014	86	ORDER by Judge Hamilton denying <u>45</u> Motion to Exclude Expert; denying <u>63</u> Plaintiff's Motion for Summary Judgment; granting <u>64</u> Defendants' Motion for Summary Judgment (pjhlc1, COURT STAFF) (Filed on 10/3/2014) (Entered: 10/03/2014)		
10/03/2014	87	JUDGMENT. Signed by Judge Hamilton on 10/3/2014. (pjhlc1, COURT STAFF) (Filed on 10/3/2014) (Entered: 10/03/2014)		
10/31/2014	88	NOTICE OF APPEAL to the 9th Circuit Court of Appeals filed by Steve Kenyatta Wilson Briggs. Appeal of Judgment <u>87</u> , Order on Motion for Summary Judgment, <u>86</u> (Filing fee: \$505.00, Receipt no. 44611011957.) (vlkS, COURT STAFF) (Filed on 10/31/2014) Modified on 11/6/2014 (vlkS, COURT STAFF). (Entered: 10/31/2014)		
10/31/2014		USCA Appeal Fees received \$ 505.00 receipt number 44611011957 re 88 Notice of Appeal, filed by Steve Kenyatta Wilson Briggs. (cjlS, COURT STAFF) (Filed on 10/31/2014) (Entered: 11/10/2014)		
11/03/2014	89	USCA Case Number 14-17175 Ninth Circuit Court of Appeals for <u>88</u> Notice of Appeal filed by Steve Kenyatta Wilson Briggs. (cjlS, COURT STAFF) (Filed on 11/3/2014) (Entered: 11/03/2014)		
11/04/2014	90	ORDER of USCA as to <u>88</u> Notice of Appeal filed by Steve Kenyatta Wilson Briggs re filing fees (vlk, COURT STAFF) (Filed on 11/4/2014) (Entered: 11/05/2014)		
11/05/2014	91	TRANSCRIPT ORDER by Steve Kenyatta Wilson Briggs for Court Reporter Kelly Polvi. (Wilson Briggs, Steve) (Filed on 11/5/2014) (Entered: 11/05/2014)		
11/05/2014	92	RESPONSE TO 90 USCA ORDER by Steve Kenyatta Wilson Briggs . (Attachments: Exhibit receipt for docketing fees)(Wilson Briggs, Steve) (Filed on 11/5/2014) Modified on 11/6/2014 (vlkS, COURT STAFF). (Entered: 11/05/2014)		
12/06/2014	93	Transcript of Proceedings held on 09/03/14, before Judge Phyllis J. Hamilton. Court Reporter Kelly Polvi, Telephone number 503.779.7406; email kpolvi@comcast.net. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerks Office public terminal or may be purchased through the Court Reporter until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 91 Transcript Order) Release of Transcript Restriction set for 3/6/2015. (Related documents(s) 91) (Polvi, Kelly) (Filed on 12/6/2014) (Entered: 12/06/2014)		
12/08/2017	94	Judicial Referral for Purpose of Determining Relationship of Cases 13-cv-4679-PJH and 17-cv-6552-VC. Signed by Judge Vince Chhabria on 12/8/2017. (knm, COURT STAFF) (Filed on 12/8/2017) (Entered: 12/08/2017)		
12/14/2017	95	CLERK'S NOTICE. The Court has determined that Cases 13-4679 PJH and 17-6552 VC are not related and no reassignment shall occur. (dtmS, COURT STAFF) (Filed on 12/14/2017) (Entered: 12/14/2017)		
03/01/2018	<u>96</u>	USCA Memorandum, Affirmed, as to <u>88</u> Notice of Appeal, filed by Steve Kenyatta		
		ED 4040		

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		Wilson Briggs. (cjlS, COURT STAFF) (Filed on 3/1/2018) (Entered: 03/02/2018)	
04/16/2018	97	MANDATE of USCA as to <u>88</u> Notice of Appeal, filed by Steve Kenyatta Wilson Briggs (cjlS, COURT STAFF) (Filed on 4/16/2018) (Entered: 04/16/2018)	
04/16/2018	98	CLERK'S Letter Spreading Mandate to Pro Se Party. (cjlS, COURT STAFF) (Filed on 4/16/2018) (Entered: 04/16/2018)	
07/11/2018	99	USCA Case Number 18-63 U.S. Supreme Court. (cjlS, COURT STAFF) (Filed on 7/11/2018) (Entered: 07/12/2018)	
10/02/2018	100	ORDER of U.S. Supreme Court: DENYING petition for a writ of certiorari as to 99 USCA Case Number (cpS, COURT STAFF) (Filed on 10/2/2018) (Entered: 10/02/2018)	

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